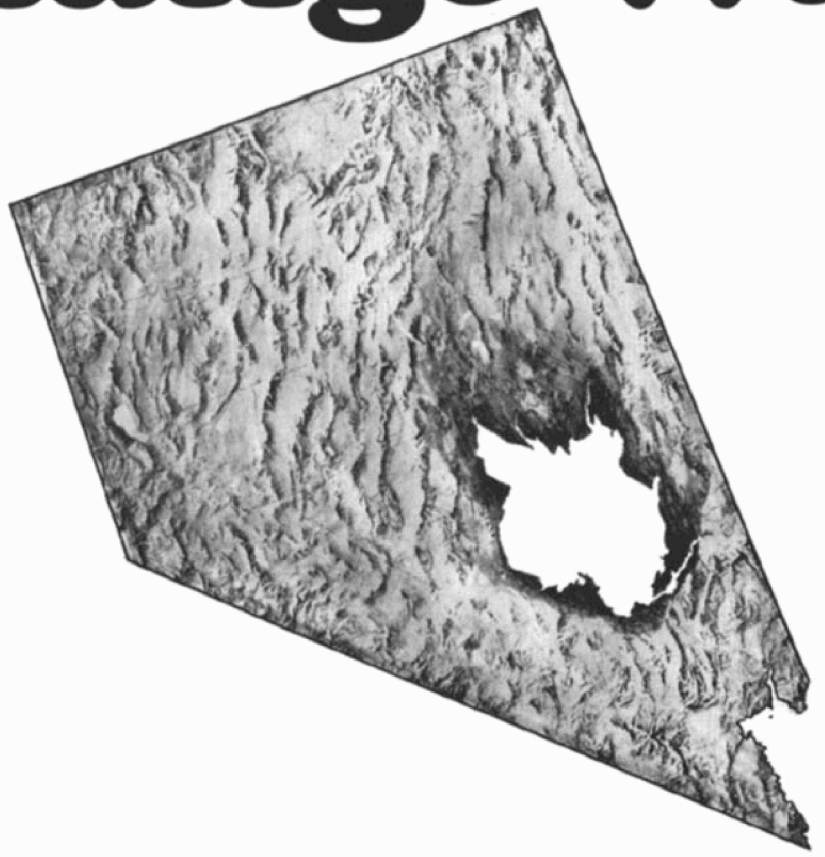
reason DECEMBER 1977 $1.25

Range War



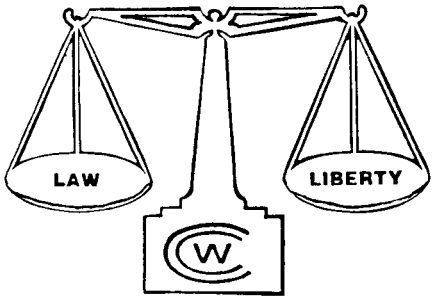
In Nevada

ALSO: Inside Branden's Intensive Cuba Travel — Why didn't anyone tell Jimmy? Interview with Woody Jenkins

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Barbara Hutchinson and John Joseph Matonis, J.D. announce their next

Citizens Courtroom Workshop



BARBARA HUTCHINSON

She has been a Tax Law Researcher since 1948, and has been mentor for many prominent citizens who have successfully used the court systems to obtain relief from flagrant abuse of our laws.

JOHN JOSEPH MATONIS, ESQ.

He has distinguished himself in fighting the oppressive policies of government agencies, especially the I.R.S., and the Food and Drug Administration. Health freedom and freedom from Mental Health abuses have been prime concerns in his varied practice.

Subjects Covered By Workshop (Partial syllabus)

THE CONSTITUTION AND AMERICAN LEGAL HISTORY
1976 REFORM ACT AND TAX LAW PLUS TAX LAW RESEARCH
TAX FORMS — THE COURT SYSTEM — TRUSTS
YOUR RIGHTS AND THE I. R. S. — PERSONAL TAX PLANNING
TAX COURT PROCEDURE — RESEARCH INTO LAW
FAMILIARIZATION WITH YOUR LAW LIBRARY
DRAFTING COMPLAINTS, AND OTHER DOCUMENTS
CIVIL AND CRIMINAL TRAILS — FREEDOM OF INFORMATION ACT
All books and materials issued are yours to keep.

UPCOMING WORKSHOPS

Tom Cole, National Coordinator
110 West "C" Street, Suite 1040
San Diego, CA 92101
(714) 238-1344

Dayton, Ohio — Imperial House North
2401 Needmore Road
(At Interstate 75) 1—800-762-4712
November 25, 26, 27, and 28
Registration 6:30 p.m. Friday, Nov. 25.
Seminar begins at 7:30 p.m.
Local Coordinator Mrs. Moore
(513) 298-6171 Dayton, Ohio

Anchorage, Alaska — At Sheffield House, in the Windsor Room
Registration starts January 13th from 6:30 p.m., 7:30 p.m.
Seminar follows registration until Approx. 11:00 p.m.
Jan. 14, Saturday 8:30 a.m. until Approx. 11:00 p.m.
Jan. 15, Sunday 8:30 a.m. until Approx. 11:00 p.m.
Local Coordinator: Carol Mallicoat. 6970 Crawford St., Anchorage, Alaska 99502 (907) 243-5971

Fee for workshop: $100 per person, or $150 per couple. If submitting payment by check, please make check payable to CCW or Citizens Courtroom Workshop.

reason

A forum for analysis and commentary, with an emphasis on individual liberty. DECEMBER 1977/VOL. 9, NO. 8

FEATURES

TROUBLE ON THE RANGE
Vast new regulations on the 87 percent of Nevada owned by the federal government have the citizens fighting mad.
By Susan F. Mollison **14**

HOW TO WIN CONVERTS LEFT AND RIGHT
Political "cross-dressing" is the answer.
By Michael Emerling **20**

INTERVIEW WITH WOODY JENKINS
Louisiana's libertarian state representative fights for freedom—without compromising his principles.
By Tibor Machan and Marty Zupan **22**

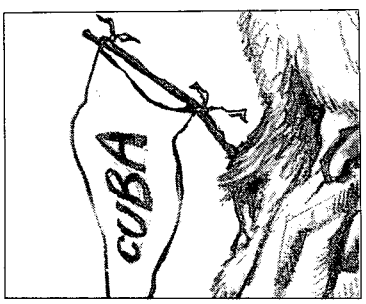
INSIDE BRANDEN'S INTENSIVE
What goes on during those 40-hour weekends.
By Cheri Adrian **26**

WHY DIDN'T ANYONE TELL JIMMY?
With much fanfare, Carter ends a travel ban that wasn't.
By Phillip Abbott Luce **31**

WRONG ANSWERS? NO—WRONG QUESTIONS
Certain "profound" questions lead to nothing but grief.
By Paul L. Gross **34**

Politics without compromise .. 22

Weekend with Branden 26



Who can go to Cuba? 31

DEPARTMENTS

EDITORIAL/Legislating Unemployment **6**
VIEWPOINT/Libertarian Pluralism **37**
FOREIGN CORRESPONDENT/Argentina's Relative Progress **38**
MONEY/Greener on the Other Side **40**
SPOTLIGHT/Monopoly Breaker **44**

LETTERS **4**
BRICKBATS **10**
TRENDS **11**
WASHINGTON WATCH **39**
MOVIES **41**
BOOK REVIEWS **42**
PUBLISHER'S NOTES **45**
FRONTLINES **46**
RUDEBARBS **48**
CLASSIFIEDS **49**

REASON is published monthly by Reason Enterprises, 805 A West Figueroa, Santa Barbara, CA 93101. Tel. (805) 962-1079. Second class postage paid at Santa Barbara, CA and at additional mailing offices. Postmaster: Please send Form 3579 to REASON, Box 40105, Santa Barbara, CA 93103. Copyright © 1977 by Reason Enterprises. All rights reserved. Opinions expressed in signed articles or columns do not necessarily represent the view of the editors.

CORRESPONDENCE: Address comments, manuscripts (for return, please include a self-addressed, stamped envelope), classified ad orders (with full payment) and subscription orders to REASON, Box 40105, Santa Barbara, CA 93103. Two copies of manuscript required. Author information sheet available on request. Address mail concerning display advertising to Media Selection Corp., Box 296, Goleta, CA 93017.

CHANGES OF ADDRESS: Please allow six weeks for change of address. Send address label and new address to Circulation Dept., REASON, Box 40105, Santa Barbara, CA 93103. Requests for missing issues due to late notice of change of address, or older than two months from current date, will not be honored unless accompanied by payment.

ISSN 0048-6906

reason

EDITORS
Manuel S. Klausner
Robert Poole, Jr.

SENIOR EDITOR
Tibor R. Machan

MANAGING EDITOR
Mark Frazier

BOOK REVIEW EDITOR
Marty Zupan

CONTRIBUTING EDITORS
David Brudnoy
James Dale Davidson
Edith Efron
John Hospers
Eric Mack
Henry G. Manne
Karl T. Pflock
Alan Reynolds
Murray N. Rothbard
Thomas Szasz

FOREIGN CORRESPONDENTS
Prakash Aswani/Middle East
Anne Brincker/Denmark
Victor Filmer/New Zealand
Ole-Jacob Hoff/Norway
Bob Howard/Australia
A. Michael Keerma/Canada
Riccardo La Conca/Italy
Fernando Linares/Guatemala
Guy de Maertelaere/Belgium
N.G. Molinelli/Argentina
Michael van Notten/The Netherlands
Luis Pazos/Mexico
Pauline Russell/England
Marc Swanepoel/South Africa

DEPARTMENTS
Bill Birmingham/Brickbats
Alan Bock/Washington Watch
Joe Cobb/Frontlines
James Dale Davidson/Experience
Mark Frazier/Spotlight
John Hospers/Movies
Randall K. Hylkema/Rudebarbs
Mark Tier/Money
Manuel S. Klausner/Publisher's Notes
Robert Poole, Jr./Trends

ART DIRECTOR
Don Wood

ADVERTISING: REASON is represented for display advertising by Media Selection Corp., Box 296, Goleta, CA 93017. Tel. (805) 964-3561, Jim Lance, president. Obtain rate card before sending copy. Send classified ad orders with full payment, to Reason Classifieds, Box 40105, Santa Barbara, CA 93103.

SUBSCRIPTION RATES: Single copies, $1.25. Special Issues, $2.00 and $3.50. REASON publishes two Special Issues annually, which are sent to subscribers at no extra cost. Subscriptions: one year (12 issues) in the United States, $15.00; 2 years, $24.00; 3 years, $32.00. Other countries: add $1.50 extra per year.

BACK ISSUES: Write for back issue list for current prices. Volumes 1-4 are available on microfilm from University of Southern California Library Micrographics Dept., University Park, Los Angeles, CA 90007. Volumes 5 and up are available from Xerox University Microfilms, 300 North Zeeb Road, Ann Arbor, MI 48106.

letters

Whigs vs. Tories

I had not intended to reply to Ralph Raico's diatribe, "On Tory Blind Spots," [March] since its tone of personal abuse appeared to me to disqualify it from reasoned debate.

However, since others have now [July Letters] been moved to comment upon it, I think that it would be well for me to say that, as anyone with understanding of the term could easily see from my "Must We Abolish the State?" [August 1976], I am not a Tory. Obviously Mr. Raico does not know the difference between a Tory and a Whig.

Nevertheless let me hasten to say that I do not mean to suggest that there is no merit in Toryism. If it were not possible to be a Whig, then I should choose, with some regret, to be a Tory.

Arthur Shenfield
Berkshire, England

Bryant on Schools

Please note, re Robert Sirico's article [September], page 21, third paragraph; starting with "Ah, the touchy subjects of schools," you have raised the point of the primary reason I ever became involved with the Dade County Ordinance... a point that "gay" activists avoid at all cost and a point that has not been told despite my efforts.

The Dade County Ordinance made it mandatory that private and religious schools hire a known practicing homosexual. That's right...the Catholic schools, the Protestant schools, and the Hebrew academies...would have to have hired a homosexual who could stand up and proclaim his homosexuality, declare it as an acceptable alternate even though that religious school taught that it was a sin. This, we felt here in Dade County, was a denial of our religious freedom. It was for this reason, 27 of the 31 rabbis in Dade County voted for repeal, along with the overwhelming majority of blacks, Cubans, Protestants and Catholics. This despite Dade County being one of the most liberal in the United States.

Our religious leaders were repeatedly told by the "gay" leaders that "gay" teachers were going to apply to teach in their religious schools when they won the referendum. My pastor was told by one of the leaders "when we win, your church school is the first one we're coming after."

You might be interested to know that at the court house "gay" leaders declared that there "was no discrimination in Dade County, we just want to show you where we're at"—and at a later meeting "we want to become role models for your children."

Who cares what a homosexual does in the privacy of his bedroom? I couldn't care less, but I do care, especially when it comes to becoming a role model for my children.

Anita Bryant Green
Miami, FL

Take That!

I want to chide Guy Riggs directly concerning his letter [September] re Anita Bryant:

Hey, dummy, did it ever occur to you that the info supplied by Bill Birmingham in his June Quickie was a bit dated? Did you take the trouble to learn what Anita had done by the time you wrote your shoot-from-the-hip letter? Yeah, I know. Your political activity has gotten you into a shoot-from-the-hip habit, but put on the brakes, man. REASON readers deserve better than that.

Just a little digging on your part would have revealed that Anita's preliminary moves had evolved into an effort to depict homosexuals as being less than human (even though she said she "loved" them), and that this had thoroughly polarized the situation into Good Us and Bad Them. Do you really think a group of gay libertarians siding with Anita because of "her proper stand on civil rights" would have gotten good publicity? Publicity, sure, but "good" publicity?

Well, the next time you feel the urge to exhort the troops to storm the barricades, why not go out ahead of time and take a good look at them there barricades, yourself?

Guy W. Riggs
Poughkeepsie, NY

Limited Liability

Davis Keeler suggests that the limited liability of corporations does not depend on State sanction. If that were true, I

assume he would not object to the repeal of incorporation laws. However, it is not true. I quote Dr. George Getz from his text *Business Law*:

"A corporation, unlike a partnership, is a creation of the State. Legally it exists separate and apart from its stockholders. It may conduct business only after obtaining a charter from the State."

Mr. Keeler's hangups about "people's capitalism" versus the Rockefellers, du Ponts and Rothschilds sound more like *Time* or *Newsweek* than REASON. The fact is that without limited-liability laws anyone could still invest by purchasing private liability insurance, perhaps under a group plan. In any event, let the investor beware, just as any banker would. A silent partner is still a partner, and still responsible for his dividend of the debts.

Norman Betros, Jr.
Cold Spring, NY

Mr. Keeler replies: I appreciate the opportunity Mr. Betros has given me to clear up a couple of points. A shareholder simply is not a partner. A partner is a person with certain rights and powers, arising from his contractual undertaking, such as the power to bind other partners or to direct agents of the firm. A shareholder has no such rights. His only right is, generally speaking, to vote with other shareholders to change the management of the firm if he is dissatisfied with their actions.

The shareholder lacks the right or power to control the acts of corporate agents which would make him morally responsible for their actions. That is the case in a nutshell. This is why private parties were able by private contract, without State action, to create firms with the attribute of "limited" liability. The advent of general incorporation laws did not *permit* them to make such arrangements—they already had that right—it merely regulated the means of doing so, much as a land conveyance act formalizes the exercise of the right to sell land. Were such laws repealed they would still have that right. Limited liability does not depend on corporation law. See, Warren, *Corporate Advantages Without Incorporation* (1929).

As for the shorthand expression that a corporation is a creature of the State, this is a relic of that time (generally before 1835) when corporate charters tended to be grants of State monopoly or special privilege. It simply no longer represents legal reality. See, e.g., Adolf A. Berle, *Cases & Materials on Corporate Finance* (1930), p. 43; Berle & Warren, *Cases & Materials on the Law of Business Organization* (1948), p. 2; Cary, *Cases & Materials on Corporations* (4th ed.), p. 1.

Surely Mr. Betros does not object to a shareholder's nonliability for corporate debts. If the creditor wants such liability he is free to try to get it in the market. Persons lending money or making major extensions of credit to small firms regularly demand personal liability from shareholders—and get it. That's how a free market works.

There is no question that a silent partner is still a partner and a shareholder is responsible for his debts. But the fact remains that a shareholder is not a partner and the corporation's debts are not his.—**D.E.K.**

Plutonium Hazards

Petr Beckmann's article "The Great Plutonium Scare," [September] omits any discussion of the difficulty of decontaminating areas doused with plutonium. According to government documents, if just 4.4 pounds (two kilos) of particulate PuO2 were released in a city, *everyone* 1000 feet downwind could expect to get cancer, and there would be a one percent increase in the cancer rate even *40 miles* downwind. A government radiological operations student's manual warns, "The ubiquitous nature of such contamination... absolutely defies description." Over eight months were needed to completely clean up a 15-gram plutonium spill at Oak Ridge in 1959, at a cost of over $100,000.

Thus terrorists would not have to build a bomb, or even steal plutonium, if they could simply disperse it into the air. Given the fact that supposedly well guarded radioactive isotopes have been stolen fairly frequently, basing our energy supply on plutonium is not an act of reason.

L. Douglas DeNike, Ph.D.
Los Angeles, CA

Dr. Beckman replies: Even if the figures were correct (which they aren't), the alleged deaths would take place between 15 and 40 years later. (By that time a one percent increase in the cancer rate, now at 16.8 percent in the United States, would require some very sophisticated statistical methods to indicate its probable cause.) Only an utterly incompetent band of terrorists would choose such a difficult and ineffective way of terrorizing.

Among the alternatives that nuclear power can eventually replace are hydroelectric dams, whose potential for terrorism leaves the anti-nuclear security advocates singularly unconcerned. It is incomparably easier to blow up such a [*Continued on p. 7.*]

INTERESTED IN
NEW IDEAS?

If you are reading this magazine, you know all about the theory of freedom. We sell books on the *practice* of freedom.

Books on: survival skills, locksmithing and security, self-defense, firearms and explosives, crime, police science, black market activities, money-making opportunities, life extension, health and nutrition, personal applications of high technology, alternative lifestyles, psychological liberation, self assertion and self reliance, bugging and countersurveillance measures, guerrilla warfare, hiding valuables indoors and out, food storage, monopoly and bureaucracy, and more, more, more!

Hundreds of titles in these and other exciting areas are described in detail in our new illustrated catalog!

Our catalog is an education in itself — the best dollar you'll ever spend. Send for it now.

LOOMPANICS UNLIMITED
P.O. BOX 264
MASON, MICHIGAN 48854

Sirs: Enclosed is $1.00. Please rush me your book catalog.

Name _____
Address _____
City _____
State _____ Zip _____

HERE TODAY, HERE TOMORROW

Liberty Coin Service has been in the business of selling precious metals to investors since 1971. That's five years. Five years of competitive prices. Five years of fast, reliable service. Five years of satisfied customers. Five years of helping you preserve your assets against inflation and government funny money policies.

Five years may not seem like long. Until you compare us to our competition.

In 1973, **L C S** ran a series of ads in **REASON** comparing our prices to those of four competitors. In the years since, three of the firms have gone completely out of business. The other changed its name after a front-page expose in the Wall St. Journal and various government investigations.

Thus, **Liberty Coin Service is the only firm listed that is still doing business under the same name.**

When you are in the market for gold or silver, call on Liberty Coin. Write or call for complete information and price quotes.

Liberty Coin Service
517-351-3466 300 Frandor Ave. Lansing, MI 48912

Legislating Unemployment

editorial

Congress recently passed a bill to increase the number of unemployed persons by 1.5 million. It was not, of course, called the Unemployment Act of 1977. No, in the semantic quagmire known as Capitol Hill, it was called "an increase in the minimum wage, from $2.30 to $2.65/hour, as of Jan. 1, 1978."

Things could have been worse. The House turned down a provision to make future increases automatic, increased the small-business exemption from $250,000 annual sales to $500,000, and squelched earlier proposals for an immediate increase to $3.00 an hour.

Yet the increase is ironic, coming at a time when awareness of the job-killing effects of minimum wage laws is finally becoming widespread. During the early 1960's, economist Yale Brozen was like a voice crying in the wilderness, pointing out that increases in post-war unemployment rates—especially among youths and nonwhites—were correlated with increases in the mandated minimum wage.

By 1970 this view had begun to pick up support. Economists at Ohio University, the National Bureau of Economic Research, and Rand Corporation developed econometric models confirming Brozen's results. Other economists, including MIT's Paul Samuelson, began speaking out, but to no avail. Every few years Congress legislated new increases. All the while the ratio of black to white teenage unemployment kept climbing—from 1.2 in 1949 to 2.9 in 1977. By August 1977 the unemployment rate for black teenagers had reached 41 percent, compared with 14 percent for white teenagers (and about 3.5 percent for white males).

Within the last few years, additional studies have removed any lingering doubts about the connection. James F. Ragan's 1974 doctoral dissertation quantified the link between youth unemployment and minimum wage increases; his results were recently published in Harvard's prestigious *Review of Economics and Statistics.* Dr. Edward Gramlich completed a similar study for Brookings Institution last year. And the US Chamber of Commerce now has its own 50-state econometric model that has been used to analyze the unemployment effects of the most recent proposals.

But the real breakthrough has been the growing opposition to new increases among non-economists. Harvard sociologist David Riesman recently called the minimum wage the product of "an alliance of the better situated labor unions with the liberals against the deprived and the elderly, whom people would otherwise employ for household or city work that now doesn't get done." And even the *New York Times,* in an editorial titled "The Cruel Cost of the Minimum Wage," has come around. Noting that an increase "will make it more difficult for unskilled workers to find employment" and will "destroy the jobs of those at the very bottom," the *Times* came out flatly against increasing the minimum.

Perhaps the cruelest effect of minimum wage laws concerns minorities. For a variety of socio-cultural reasons, a higher percentage of blacks and some other minorities still wind up with fewer job skills, less education, and poorer work habits—i.e., are less desirable as employees, *other things being equal.* Second, some employers are still prejudiced and would prefer not to hire some minorities, *other things being equal.* In a free market, minority individuals facing employer reticence, can give themselves a competitive advantage, making "other things" *un*equal: they can agree to work for a lower wage. By doing so, they appeal to the employer's self-interest, hoping to overcome their relatively lower skills or the employer's prejudice.

Minimum wage laws deprive disadvantaged job-seekers of this chance to even up the odds. In a free market, so long as minorities (on average) are seen as less desirable employees, a compensating wage differential will exist. An employer who refuses to hire a discount-priced minority worker pays a very visible price for indulging his prejudice. But minimum wage laws remove this price, notes black economist Walter Williams, thereby letting employers discriminate *without cost.*

Small wonder, then, that Milton Friedman refers to the minimum wage law as "the most anti-Negro law on our statute books." And that black economists such as Stanford's Thomas Sowell and Harvard's Andrew F. Brimmer have joined Prof. Williams in speaking out against the minimum wage.

In the face of this evidence, how can such crusaders against poverty and discrimination as Jimmy Carter, Hubert Humphrey, and Teddy Kennedy actively work to put low-income blacks, Puerto Ricans, Mexican-Americans, teenagers, and old people out of work? The answers boil down to just one word: politics.

The short answer is that liberals and Democrats, who currently make up the majority in Congress, are deeply in hock to George Meany. And organized labor can only benefit from increases in the minimum wage. By reducing competition from low-wage, marginal workers, higher minimum wages make more secure the jobs of high-wage union members. Over the years support for increased minimum wages has come consistently from Congressmen in highly unionized northern states, to counteract competition from non-union, lower-wage plants in the South and West.

But there's an even more insidious reason for big-government advocates to support minimum wage laws. By increasing unemployment among the poor and minorities, they create further demands for expanding their role. The more people in distress, the more "need" there is for an all-encompassing State to pass new poverty programs, new affirmative action programs, new make-work programs. It is therefore in the self-interest, not only of Congressmen, but also of the whole welfare/social services establishment to push for measures such as minimum wage laws that expand the "market" for their services.

The situation perfectly illustrates the difference between *political* democracy and *market* democracy. Self-interest is the motivating factor in both cases. In the political approach self-interest operates with the force of law. Those groups with the greatest clout impose solutions that maximize *their* self-interest, at the expense of the interests of the poor and minorities. In the market approach, by contrast, the self-interest of individual low-skilled workers allows them to compete with higher-skilled workers in appealing to employer self-interest. Low-skill persons have a chance to become self-supporting, rather than becoming pawns of the State and its bureaucracies.

In the recent Congressional debate on the minimum wage, many of its defects were noted, especially its impact on youths, and minority youths in particular. An amendment to create a lower minimum wage for teenagers was defeated by one vote in the House. While such a "teenwage" would undoubtedly have helped some teenagers (estimates ranged from 225,000 to 617,000 jobs saved), many would have been children of affluent families seeking summer jobs—not ghetto youths desperately seeking to be self-supporting. (Remember the no-cost discrimination effect!)

The answer does not lie in a lower minimum wage. It lies in abandoning the concept of job price fixing altogether. Only by substituting the democracy of the marketplace for the democracy of political power can job opportunities be created for everyone.

Robert Poole, Jr.

letters

[Continued from p. 5.]

dam, which could, in six places in the United States, cause more than 100,000 deaths each—not in 15 to 40 years, but immediately. And there are even grimmer possibilities.

Dr. DeNike's optimism of hoping that terrorists would be so laughably inept is interesting, but unrealistic.—**P.B.**

Nuclear Facts

Dr. Beckmann's attack on the Ford Foundation's latest report was both thorough and convincing. There was only one thing wrong: since the Ford Foundation avoided the real issues, the rebuttal managed to avoid the real issues in equal measure.

The Ford Foundation accepts the government's figures for uranium reserves and resources and says, in effect, there is enough uranium for the Light Water Reactor program, so the breeder program should be delayed. Beckmann says the uranium may not last much longer than the rest of the century, but that reprocessing must be practiced and the residue of U235 in the spent fuel recycled.

The most recent ERDA estimates of uranium reserves, including ores so deficient in uranium that they are not being mined or processed now, is 780,000 short tons. A reasonable estimate of fuel consumption is that a standard 1000 Megawatt reactor (without recycle or mixed plutonium oxide fuel) will require approximately 230 s.t./yr. Thus if all the reserves are found and utilized (unlikely), fuel sufficient to supply 3,400 reactors for one year is potentially available. If each unit has a 40-year lifetime, the maximum number to be built should not exceed 85. If you want to use a 30-year economic life, then the number increases to about 115 standard units.

The important datum, ignored both by the Report and by Dr. Beckmann, is that by the end of 1982 the higher of these two numbers will represent the plants in being. The lower number will be reached by 1980. Moreover, all of the generating stations that go on line in 1982 are already under construction! Thus all of the domestic reserves have been spoken for and any nuclear fueled station that goes on line after 1982 (and some of these are in the early stages of construction) will not have any source of domestic uranium in view! We would do better to resume building electric generating stations predicated on the use of natural gas! So the first step in a rational energy policy (besides decontrol of oil and gas) would be to call a halt to the construction of any light water reactor scheduled to go on line after 1983.

As to the breeder reactor, Dr. Beckmann's arguments, while necessary, are insufficient. Breeder technology is far from proven. The materials problems, in large part, are unsolved. We don't know the long-term alterations that will be produced on the materials of which the LMFBR's will be built, changes produced by prolonged exposure to high densities of neutron flux. *Theoretically*, the breeder reactor may be as important as Dr. Beckmann asserts. But this implies that a breeding ratio of more than unity will be produced—so that more fuel will be produced (after reprocessing) than was consumed. So far there has been no data published nor have there been claims, that the French reactor, the Russian reactor, or any reactor has achieved a breeding ratio in excess of unity.

So Dr. Beckmann is urging us to put most of our expectations for electric power in future years on 1) the LWR program that lacks an adequate fuel supply and 2) a promising but unproven technology. I submit that this is an unreliable, radical procedure based mostly on theoretical physics and hope.

As to the reliability of theoretical physics in the real world of power generation, we have the repeated, public claims of ERDA officials like Douglas Bauer and others like Dr. Hans Bethe or Dr. Ralph Lapp that a LWR should produce 32 or 33 million kilowatt-hours or more per short ton of uranium. However, the testimony of NRC witnesses under oath in the Gulf States Utilities River Bend reactors hearings before the Atomic Safety and Licensing Board in 1976 placed operating data from a number of new, large, operating reactors into the record: the *best* fuel batches produced 22 million Kwh/s.t. as compared to the 32 million Kwh/s.t. predicted by the physicists. The poorest produced, possibly, 10 or 11 million! Theory and practice are disappointingly far apart.

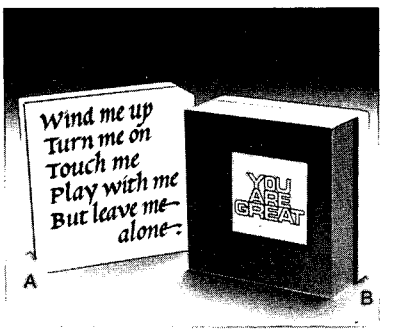
The only rational conclusions to be reached are:

1) Any LWR scheduled to go on stream after 1983 should be redesigned for use of coal.

2) While experiments with breeder reactors should be continued, no reliance should be placed on the LMFBR as a serious source of electric energy in the foreseeable (20-30 years) future.

3) A little more respect for the facts, and less theoretical constructs would be most welcome from both the Ford Foun-

THE MESSAGE IS CLEAR



Express yourself in a new and unique way with CRYSTAL THOUGHTS by Dick Seeger, a collection of "thoughts" inspired by everyday happenings, quietly expressed and beautifully bound in a sea of clear lucite.

"Thoughts" are the perfect gift, heavy enough to be used as a paperweight, beautiful enough to stand alone, they are a constant reminder of the way *you* feel. Two sizes are available: Large is approx. 4" x 4" x 1½" priced at $15.95 and Small 2" x 2" x 1½" priced at $9.95.

C

SHOWN ARE:
A. Wind me up (large)
B. You are Great (large)
C. Your you warms my me (small only)
(A and B are also available in small)

NOT SHOWN BUT ALSO AVAILABLE:
D. Talk Less Feel More (large & small)
E. Feel Free (large only)
F. I want to be in my mind with you (large & small)

(Please order by letter and size)

SMALL **$9.95** LARGE **$15.95**

JADAK CO.
P.O. Box 296, Goleta, CA 93017

Please send me the following order. I understand that if I am not satisfied I may return my "thought" to you within 15 days and receive a full refund.

QTY	LETTER & SIZE	PRICE
Postage and Insurance $1.50 (L), $1.00 (S)		
CA. residents add 6% Sales Tax		
I've enclosed ☐ Check ☐ Money Order ☐ BankAmericard	TOTAL	

25040

Account No._____

Exp._____ Signature_____

Name _____

Address _____

City _____

State_____ Zip _____

Customer Inquiries should be directed to: JADAK CO., 1415 Colorado Ave., Santa Monica, CA 90404.

reason's comment of the month

The letter below, by subscriber Bob Murphy, appeared in the Aug. 13, 1977 issue of the Colorado Springs *Gazette-Telegraph.*

COERCIVE LABOR LAWS

There has been much discussion, both pro and con, on labor unions and labor laws, but the important questions are seldom discussed. The question isn't whether labor unions are too large or in "the public interest" any more than whether the Red Cross or the Boy Scouts are too large or in "the public interest." The question to ask is whether the labor laws involve the use or threat of government violence against people who have not engaged in any violence.

The labor laws do involve the threat of government violence against both employers and employees who may be peacefully going about their business. For instance, section 9(a) of the National Labor Relations Act (NLRA) declares that any union designated by a majority of employees an appropriate bargaining unit becomes the exclusive bargaining agent for all employees in that unit. Thus, when the union is designated the exclusive bargaining agent, government force is used to prevent the employer and employee from peacefully going about their business and voluntarily entering into an employment agreement.

Now the Carter administration is supporting labor law revisions to make union organizing easier. One item in the proposed labor revision would require employers to pay double back wages when they discriminate against union employees. Another proposal would make it easier to force employers to compensate employees when the employer does not bargain in good faith. As an analogy, imagine a law that forced you, a consumer, to compensate a union grocery store because you resisted their higher prices or chose to do your grocery shopping at a less expensive store. In effect, these labor law revisions will make the coercive labor laws even more coercive.

AFL-CIO officials assert that these coercive labor laws are necessary for "human rights." Evidently, these labor leaders and those who support the labor laws must believe that, in pursuing "human rights," it is proper to use violence against peaceful people.

Bob Murphy
Pittsburgh, PA

REASON subscribers are encouraged to write letters to the editor of their favorite newspaper, magazine, or journal, and to submit replies to TV and radio editorials, presenting libertarian views on topics of current interest. Each month the editors of REASON select the most notable published letter or broadcasted reply for republication in this space, and honor the writer by a six-month extension of his or her REASON subscription. Send copies of your published letters or broadcasted replies to Reason Comment of the Month, Box 40105, Santa Barbara, CA 93103.

dation and Dr. Beckmann.

4) The bulk of our future electric power supply will be generated by the burning of coal or there will be no electric power.

Raphael G. Kazmann
Professor of Civil Engineering
Louisiana State University

Dr. Beckman replies: Uranium reserves: ERDA's estimates go up and down with the latest fashion, but reserve prediction is basically guesswork. (The proven US oil reserves have never been more than a 11 years' supply—which is what they are now.) The real point is that a reserve never runs out; its price increases until it becomes uneconomic. Since in nuclear power generation fuel costs are a minor fraction of the total cost, it is nowhere near as sensitive to fuel prices as fossil-fired power, and can well afford another doubling of the uranium price.

Technology: The breeder is proven—in France and Russia on line, in other countries by demonstration. There has been plenty of trouble, as with all new technology, but it has almost invariably arisen in the sodium/water heat exchanger, not in the nuclear part.

Breeding ratio: The French Superphenix is designed for a breeding ratio of 1.4; the ratio is adjustable and in the presently running Phenix it is held near one because there is plenty of plutonium from orthodox reactors, and there are disincentives for producing additional plutonium for storage. But even if the breeding ratio drops to 80 percent, it is an 80 percent energy saving; the breeding ratio of coal is zero.

Discrepancy between theory and practice: If Prof. Kazmann's pessimism is justified (which I doubt), he is saying that the plutonium breeder's domestic energy supply will not last 1,000 years, but only three centuries.

Finally, my main interest in the breeder is rooted in the issue of anti-technology and de-industrialization promoted by the statist scare-mongers; a truly free economy would soon determine the optimum ratio of nuclear to coal without legislation, regimentation, or regulation, and the debate about that ratio would be entirely superfluous.—**P.B.**

Are Rights Natural?

The case against natural rights appearing in the September issue suffers from several flaws and errors. Goodson and Longinotti (GL) ably and swiftly demolish the general arguments for natural rights that have recently been set forth by Rand, Machan, et al., and then declare that, ergo, there are no natural (human) rights. That is like refuting a faulty proof of the Pythagorean theorem and then crying, "Aha! I have refuted trigonometry!" Nay, not at all. He has merely disproven *one* faulty argument, and not the basic theorem or law itself.

Then GL trot out other "problems" in natural rights theory. They say that an objective standard of morality implies that rights cannot conflict. That is false. Like gravity, rights are not fixed measurements but can be greater or lesser, stronger or weaker. A greater right can override a lesser one, just as the gravity of a large mass can overpower that of a small one, even though gravity itself is a non-arbitrary constant. Example: a woman with a baby is alone in the wilderness for a short time. Baby cries and wants to feed. Does the mother's right to control her body give her the right to refuse her breasts' milk to the infant? No, because the baby's right to live *overrides* the mother's right to control the products of her body.

Similar arguments can be presented for GL's "problem" of punishment. The right of self-defense can override the criminal's right to life and freedom, to some extent. The other "problems" of abortion, etc., can also be handled adequately by natural rights, given more space than allowed in a letter like this.

As GL realized, natural rights arise from a rational and objective standard of morality. GL have done a fine and needed service to the cause of libertarian philosphy in smashing the usual dubious arguments for natural rights, the line that man's nature requires or obliges him to use his reason. Nonsense! For thous-

ands of years some men have been able to live simply by plucking the available bananas and coconuts from the trees around them—hardly a refined use of reason. Do Rand, Machan, et al. consider a lazy man's living from the land (without stealing from other men) as *morally* wrong? You see the problem.

Fortunately an objective, rational ethic *can* be derived and constructed and it has been done. All it takes is the correct premises. Unfortunately an adequate presentation of such an ethic would require more space than normally allowed in a letter. But most libertarians would agree that without such an ethic the whole concept of liberty degenerates into utilitarianism (that freedom is merely desirable), which then has to compete with arguments that socialism is desirable to some people too, and it becomes a matter for arbitrary majority vote rather than a principle of right or wrong.

If there is no objective morality, where do GL get their goals of a "creative society" "wherein men live by productivity?" Why not rather a goal of a theocratic state devoted to a certain religion, or communism? Just as physical engineering needs a science, governmental "engineering" (whether of a state or anarchistic orgaizations) needs an ethic to give it goals or principles of justice. You cannot generalize man from all of nature, just as you cannot generalize biology from physics blindly. Atoms do not feel pain, but animals do. Animals are neither good nor evil, but man certainly is!

Fred Foldvary
Berkeley, CA

Goodson and Longinotti reply: It is true that revealing the faults of a derivation does not, in itself, disprove the conclusion. If, however, application of the conclusion also leads to contradictions (as the "law" of natural rights does), the theory may properly be described as inaccurate.

Mr. Foldvary destroys the fabric of natural rights in attempting to mend it. He posits that rights can be "stronger or weaker," depending on the situation. But the principal characteristic of "natural" rights is that they depend on man's "nature" (i.e. innate characteristics), and are thus independent of external circumstances. And we find his example of the mother and infant less than persuading. In a situation of scarcity where only one can survive, why choose the infant? In fact, many animal species, including primitive humans (the Shoshoni, Australian Aborigines, Caribou Eskimo), regularly practice infanticide as a means of improving their chances for survival.

Without debating the merits of utilitarianism, or whether liberty "degenerates" into it without natural rights, it must be pointed out that the degree of psychological discomfort a truth may cause does not affect its validity. The 16th century Church maint[illegible]d that the earth could not possibly go around the sun, since man's place at anywhere but the center of the universe was unthinkable.

Regarding the reason for our goals, we aspire to a productive society simply because it would benefit us most. Mr. Foldvary states that an objective ethic has been derived for natural rights, but he conveniently avoids revealing any details. If that ethic shares the assumptions of Mr. Foldvary, then it denies that man is an animal, downplays man's rational capability, and asserts that rights are variable. Maintaining that natural rights can be established on such a foundation is like saying that one can prove that an animal called a unicorn does exist, but it has no legs or horn, and is made of stone.—**J.A.G. and D.M.L.**

Stalinist Fake

A mild admonishment to Mr. Birmingham [September] for repeating the ancient Stalinist fake that Karl Ernst

[*Continued on p. 47.*]

50 PERCENT RETURN

For years, many investors have been earning a 50 percent return on investments, and often much more.

How do they do it? By investing in silver, gold, grains and the many other commodities traded on the international markets every day. Unfortunately, the financial and risk requirements for such ventures have been, until now, greater than most people could comfortably handle. And the successful investor has almost always had years of experience in commodities, and the time to constantly monitor daily trading activity.

But now, with the resources of a company with an impeccable 140-year international business record in world commodities, SNW Commodities Ltd. gives the investor with limited venture capital the opportunity to net extraordinary gains in commodity futures trading with a completely limited risk.

The SNW Managed Account program has a performance record of consistently high profits. What's more, no SNW Managed Account has ever generated a margin call. Does this mean we can guarantee you will never receive a margin call? Yes, it does. We can and we do. In writing. *We're that sure of our program.*

For more information concerning this unique investment program, simply fill out and mail the following coupon.

SNW COMMODITIES LTD. 1050 Northgate Drive, Suite 444
San Rafael, California 94903

MEMBERS:
INTERNATIONAL COMMODITY CLEARING HOUSE
NEW YORK COMMODITY EXCHANGE (COMEX)
NEW YORK SUGAR AND COFFEE EXCHANGES
NEW YORK COCOA EXCHANGE
GAFTA SOYBEAN MEAL FUTURES ASSOCIATION
UNITED TERMINAL SUGAR MARKET ASSOCIATION
LONDON COCOA TERMINAL MARKET ASSOCIATION
COFFEE TERMINAL MARKET ASSOCIATION OF LONDON
LONDON WOOL TERMINAL MARKET ASSOCIATION
LONDON GRAIN FUTURES MARKET
LONDON RUBBER TERMINAL MARKET ASSOCIATION
ALL PARIS COMMODITY EXCHANGES
OFFICES: London Paris Geneva Frankfurt Kuwait

Please send me a free copy of your booklet on "SNW MANAGED ACCOUNTS"

Name_____
Address_____
City_____ State_____ Zip_____
Home Ph._____ Business Ph._____

brickbats

☐**Many libertarians** may not want to celebrate Christmas. If that applies to you, you might instead exchange presents on December 15, the 186th anniversary of the Bill of Rights, or on the 16th, 204th anniversary of the Boston Tea Party. Instead of hanging mistletoe, you could hang crepe on December 23, when the Federal Reserve System will start its 65th year of mismanaging the nation's money supply. And in the spirit of the season, with this issue yr hmbl srvnt begins his second year of spreading peace on earth, good will to men in the pages of REASON. Ho ho ho.

☐**Columnist Kevin Phillips informs us** that some Indians have been buying parcels of land in Tacoma, Washington (which used to be a reservation), designating them reservations and opening liquor stores on them. Invoking the Indian tribe's sovereignty, they ignore state taxes and regulations and sell firewater to the palefaces at cut-rate prices. The stores also sell tax-free cigarettes and illegal firecrackers. Other tribes are contemplating opening casinos and race tracks. Indeed, Phillips (who does *not* like this) goes so far as to ask "Who's to say that tribes couldn't follow Nevada's example" and legalize prostitution on their reservations. Who said the Noble Red Man was a myth?

☐**After ex-Mayoral candidate Bella Abzug lost** her bid to misgovern New York City, producer Otto Preminger said she can have a role in a new movie of his, if she wants it. Probably in the remake of *The Thing.*

☐**The Senate, in its wisdom**, has voted overwhelmingly to outlaw military unions. Such as Sen. Jesse Helms (R-NC), waxed eloquent against "forcing" soldiers to join unions. Interestingly enough, while Gallop says 71 percent of the populace opposes the idea of military unions, the *Army Times* found that 45 percent of the servicemen it surveyed liked it. In addition to complaints about pay and benefits, the *Times* says they object to the Army's assignment and recruiting practices, its promotion policies and its "chain of command grievance procedures." What a union could do for them is problematical; servicemen can hardly go on strike when disobeying orders is "mutiny," a capital crime. This is the real issue, of course; for all the blather about the "volunteer military" the American fighting man still has only slightly more rights than an ante-bellum Georgia field hand—above all, he still does not have the right to quit his job. Surprisingly, few libertarians have shown any concern for the soldier-slave, although I hear that the Libertarian Party has revised its platform to end the absurd distinction between amnesty for draftees who desert (which the LP supports) and amnesty for non-draftee deserters (on which the LP waffled). But until some future Lincoln strikes off the chains of Uncle Sam's niggers, military unions might give them some small protection against the State. At the very least, they might get the right to sit outside their barracks and sing spirituals.

☐**If you're as tired as I am** of the bluenoses' incessant puling about "kid porn," you might enjoy an article in the September 1977 issue of *Human Behavior.* In it, anthropologist Richard L. Currier suggests that the real reason kid porn has caused such a fuss is that it "has called into question certain basic cultural assumptions about the sexuality of children and the normal relations between children and adults. These assumptions are: (1) children have no real need for sexual gratification; (2) sexual relations between children and adults occur only in rare instances, only with mentally ill adults and only under duress, and (3) it is possible to change the cultural rules so that adults have far more sexual freedom, while at the same time insulating children from the effects of that change." Mr. Currier refutes all three assumptions, and adds that the prohibitions against sex for children ensure that in our society those adults who are sexually involved with children will tend to be "precisely those whose sexual attitudes are most warped.... Driving kid porn underground will not solve the problem. It will only make it easier for us to forget that it exists."

☐**According to syndicated columnist Jack Anderson**, the American officials who went to Saigon to "fight Communism" didn't let it interfere with their style of living; to judge by the goodies they had to leave behind when the Thieu regime collapsed. One official wants the taxpayers to replace his ten oil paintings, a $2000 Chinese rug, 154 shirts, 16 sets of cufflinks and 30 pipes. Another public "servant" lost two sets of golf clubs worth $1685, and a $120 elephant hide golf bag. "Hopefully," says Anderson, "some needy Viet Cong wound up with the four bottles of Jean Nate bubble bath abandoned by another official." Oh, war is hell! The government has offered compensation for the losses up to a limit of $15,000 but many claims will probably be higher, even though the State Department expressly warned Americans against bringing "valuable personal possessions" into the war zone. But only if they were civilians, of course; our rulers forgot to dissuade several million American soldiers from bringing their valuable arms, legs and entrails to Indochina.

☐**The *London Telegraph* reports** that a British doctor, one Ian Richardson, has proposed that the "grossly" overweight be involuntarily committed to "enclosed hospitals" to shed their excess pounds. He justifies this on the grounds that obesity costs British socialized medicine "hundreds of millions of dollars." Prof. Gilbert Geis once suggested the same thing in a REASON article ("Fable of a Fatty," May 1972) but he meant to be a satirist, not a prophet.

Bill Birmingham

Moving?

Don't miss a single issue of REASON. If you're moving, attach your old mailing label in the box provided and fill in your new address below. Allow six weeks for change of address.

old mailing label

name_____

address_____

city_____ state_____

zip_____

mail to:
REASON Magazine
Box 40105
Santa Barbara, CA 93103

trends

Toppled Idols

"In the long run we are all dead," wrote British economist John Maynard Keyes. The fate of men can also be the fate of their ideas, as demonstrated by the sudden fall from grace of the teachings of two of history's leading collectivists: Karl Marx and Lord Keynes himself.

The repudiation of Keynes has occurred in both Great Britain and the United States. It seems to be an outgrowth of the simultaneous persistance of inflation and unemployment over the last several years—a condition Keynes thought to be impossible. Now, however, even liberal "neo-Keynesian" economists have come to realize that inflation, rather than curing bad times, can actually cause more unemployment and recession. Why? Because the expectation of inflation gets built into wage demands, interest rates, and investment decisions, leading to less employment and reduced capital spending.

British Prime Minister James Callaghan stated this unequivocally at the Labor Party convention last fall: "We used to think you could just spend your way out of a recession and increase employment by cutting taxes and boosting government spending. I tell you in all candor that such an option no longer exists, and insofar as it ever did exist, it worked by injecting inflation into the economy. And each time that happened the average level of unemployment has risen." American liberal economists such as Walter Heller and Council of Economic Advisors chairman Charles Schultze tend to agree with Callaghan. "We've all learned something about inflation," concedes Arthur Okun, chairman of the CEA under LBJ.

While Keynes is being buried in England and America, it is Marx who is being put to rest in France. The gravediggers are a group of young ex-marxist intellectuals dubbed the "new philosophers." Led by Andre Glucksmann and Bernard Henri-Levy, the young radicals attack "the bankruptcy of socialism" as a path to freedom from oppression. In fact, writes Levy in his best-selling *Barbarism with a Human Face*, the ideas of Marx and his followers paved the way for the emergence of 20th century totalitarianism. Indeed, "the 20th century's great invention may prove to be the concentration camp, which is generalized murder for reasons of state," he writes. Glucksmann, drawing on the works of Alexander Solzhenitsyn, attacks as naive the view that "Marxism [was] good but the [Soviet] interpretation was wrong." In fact, it is Marxism itself that is evil. "The Soviet prison camp is *Marxist*, as Marxist as Auschwitz was Nazi," says Levy.

What must be fought is the State, with all its sophisticated means of control, and ideologies such as Marxism that lend it an air of legitimacy. *That* message, profoundly anticommunist and pro-individualist, is the truly revolutionary voice of our times.

SOURCES:

- "Inflationism," William H. Peterson, *The Freeman*, August 1977, p. 454.
- "Is Keynes Dead?" *Newsweek*, June 20, 1977, p. 74.
- "The New Philosophers," *Time*, Sept. 12, 1977, p. 29.
- "Those Magnificent Marx-Haters," *The Economist*, Aug. 20, 1977, p. 54.

Medical Schools Fight Back

Federal aid without federal controls? Medical schools were among the many sectors of society that wanted to believe this siren song of the 1950's and 1960's. But the mailed fist has been showing through the velvet glove with a vengeance in the 1970's. First came affirmative action programs, then controls on research, and now the latest move—an attempt to force the schools to accept minimally qualified third-year students from abroad.

Under a provision of the Health Professions Educational Assistance Act of 1976, all federal tuition grants (known as capitation money) would be cut off from schools that refuse to take US foreign medical graduates who can pass a single basic exam. In the words of *Science* magazine, the provision "suspends all other academic criteria and establishes the federal government as the medical schools' chief admissions officer."

Twelve medical schools have decided they'd rather fight than switch. And four of them—Johns Hopkins, Harvard, Yale, and Stanford — have hired attorney Philip Lacovara to prepare a legal brief challenging the law's constitutionality. Lacovara thinks the law violates the First and Fifth Amendments and seriously invades academic integrity. *Science* editor Philip Abelson agrees. In a recent editorial he stated flatly, "The medical schools should reject the new strings on capitation *as a matter of principle* as well as on financial and egalitarian grounds."

Those are strong words from one who has argued over the years for federal support of science and medicine. And hopefully, they are one more sign that times are changing.

SOURCES:

- "Four Medical Schools Draw the Line on Capitation," *Science*, Sept. 9, 1977.
- "Coercion of Medical Schools," *Ibid*, Sept. 16, 1977.

Volunteer Military Works

A comprehensive study of the all-volunteer military by the Rand Corporation shows it to be a success. But that success is being jeopardized by costly personnel practices carried over from the era of the draft—policies that cost the taxpayers $5-10 billion per year. It is these policies that provide advocates of a return to the draft with spurious evidence about the high cost of today's military personnel.

Basically, found Dr. Richard Cooper, today's military still operates as if it were using a cheap, conscripted male labor force. Consequently, it still uses too many first-term enlistees, vastly underutilizes women, relies too much on labor for jobs which should be mechanized, and keeps too many civilians on a permanent payroll (instead of hiring them on an as-needed, contract basis). In addition, the military's "up or out" promotion policies fail to provide an alternative for talented people who do not wish to assume supervisory roles, thereby losing "an uncounted number of valuable technicians each year." And military pension policies are grossly out of line with those in civilian life, again costing taxpayers far too much.

Cooper's research also shatters a number of myths about the all-volunteer force. For one thing, he notes, today's military is not taking in "too many" blacks. What is happening, and would be happening even with the draft, "is that an increasing proportion of blacks is meeting the qualifications for service—from 12 percent who were classified as average or above-average mental aptitude in the mid-1950's to 45 percent today," due to better education and other social changes. The main *policy* difference is that "the [volunteer military], by paying competitive wages with civilian jobs, is not discriminating against blacks the way the draft did." Cooper also analyzes the cost of military manpower over the past decade, including retirement costs, and finds that, discounting for inflation, "the volunteer force has added less than $300 million to the cost of defense manpower—about two

tenths of one percent of the defense budget."

Cooper proposes a number of reforms that would cut military personnel costs: revising military pension policies to be more in line with civilian ones, instituting a two-track promotion system, revising upward the ratio of careerists to first-termers from 40-60 to 50-50, substituting machines for manpower wherever possible, hiring more civilians on a contract basis rather than as permanent employees, and greatly increasing the use of women.

The latter proposal was also the conclusion of a recent Brookings Institution study which found that women could easily fill about one-third of all military jobs, instead of the mere five percent they hold at present. The study found that today's women in the military on the average are smaller and less strong than men, but tend to be brighter, better educated, and much less likely to become disciplinary problems. And because they have fewer dependents, their cost of upkeep averages $982 per year less than that of men.

Brookings recommended an experimental program in which women would be assigned to such combat roles as Army and Marine combat battalions, Navy ships, and Air Force missile launching crews, fighter squadrons, and bomber squadrons. A bill to permit women to hold combat assignments was introduced in the House by Rep. B. F. Sisk late in September.

SOURCES:

- "Volunteer Military Force Works," Rand News Release, Sept. 25, 1977.
- "Test Women for Combat, Study Urges," *Los Angeles Times*, July 25, 1977.
- "Bill Introduced to Let Women Serve in Combat," *Ibid.*, Sept. 28, 1977.

Education Tax Credit

Though public schools are widely acknowledged to be failing, and private school enrollment is growing, the ability of most parents to opt for private schools is severely limited. They, along with everyone else (parent or not), are forced to contribute up to several thousand dollars a year to the public school system, via federal, state, and local taxes. Small wonder that few families have enough left over to send one or several children to private schools.

Help is on the horizon, though, in the form of a bill currently before the Senate. Sponsored by Sens. Packwood and Moynihan, and cosponsored by 41 other Senators, the bill would grant taxpayers a federal tax credit of one-half of all tuition payments up to $500 per person. The credit would be a direct reduction of the family's total income tax liability, rather than simply a deduction from taxable income. It would apply to tuition paid for any level of schooling, from elementary through college, including adult education and trade/vocational schools.

The tax credit measure was introduced in September and Moynihan expects action during next year's session. Unlike many earlier efforts of this sort this one has strong, serious backing. If this "revolutionary concept in self-help education" passes, educational freedom of choice would finally become a meaningful concept in America.

SOURCE:

- "43 Senators Back $500 Income Tax Credit on Tuition Cost, Entrance Fees," AP (Washington), Sept. 27, 1977.

Freed Milk

Consumers in two more states will now be able to benefit from free market competition in selling milk. In California, where wholesale milk price controls were suspended two years ago and minimum retail prices temporarily suspended last January, all price control authority has now been abolished. Gov. Jerry Brown has signed into law a bill that repeals the state Agriculture Department's power to regulate milk pricing. Milk prices around the state dropped when the controls were lifted in January, and have increased only slightly since then.

In Alabama pricing freedom has come via the courts. The State Circuit Court has declared null and void the milk price controls administered by the State Milk Commission. The court found that such controls "have resulted in subsidizing the inefficient producer, processor, distributor, and retailer at the expense of the more efficient... as well as... at the expense of the consuming public." The case was brought by Sam Pilliterri, a food store owner in Bessemer. Pilliterri defied the Commission by cutting milk prices, then counter-sued the Commission when it attempted to enforce its regulations.

SOURCES:

- "Brown Signs Bill Ending Milk Pricing Authority," UPI (Sacramento) Aug. 30, 1977.
- "What's Right with Our Country," Robert M. Bleiberg, *Imprimis*, August 1977.

Victims' Rights

When a government agency—the IRS, OSHA, the SEC, the FTC, etc.— comes after you, defending yourself can be very costly. It often happens that victims of such attacks, even though innocent, decide to settle, simply to avoid crushing legal defense costs. But relief may be on the way.

The first sign of hope is the Civil Rights Attorney's Fees Award Act, passed in 1976. This new law contains a clause allowing (though not requiring) judges to award a victorious taxpayer his "reasonable" attorney's fees in cases of IRS-citizen conflict. So far, it is unclear what effect the provision will have. Some tax experts think it will apply only to cases of government harassment or bad faith. Others contend it applies only when the IRS sues the taxpayer, not the other way around. And of course there is no requirement that judges award attorneys' fees, or that the award cover all such costs, only "reasonable" ones.

Most of these defects would be remedied if a bill proposed by Rep. Steve Symms were to become law. His H.R. 1817, cosponsored by 75 other members of Congress from both parties, would *require* every federal agency to pay all legal costs for victorious defendants in civil actions brought by the federal government. The money would come from the agency's budget for the year in which a case was decided. Thus, the law should have a restraining effect on what is politely referred to as the "excessive zeal" of some of Washington's bureaucracies. It would certainly make it more feasible for citizens to stand up for their rights.

SOURCES:

- "Tilting at IRS Windmill? Take Heart," Paul Ziffren, *Los Angeles Times*, May 11, 1977.
- "Fighting Big Brother?" Steve Symms, *The Washington Report*, April 4-8, 1977.

Malpractice Prescriptions

Groups of doctors and hospitals across the country have gotten together to do something about high-priced or unavailable malpractice insurance. Instead of running to the government for relief, like many of their colleagues, they are forming their own hard-nosed insurance companies. And so far, they seem to be succeeding. The key to their success is that medical professionals, though not experts at insurance, *are* experts in medicine. They are therefore able to be tougher on their colleagues than most insurance companies are, taking sophisticated approaches to weeding out poor risks.

Two different types of companies have been organized. The first is referred to as the "bedpan mutual" approach. This is simply a conventional malpractice insurance company owned by physicians, set up under existing state regulatory laws, and charging rates comparable to those of existing firms. The advantage to doctors is that these companies are continuing to write policies, while many conventional insurers have stopped. So far the 15

bedpan mutuals are making profits, thanks to their stringent standards for insurability of those they insure. The American Medical Association recently set up a subsidiary to reinsure the policies written by these firms.

The other approach is to reduce costs substantially by setting up a doctor-owned company overseas. No one knows how many of these offshore malpractice insurance firms exist, but one such firm has counted seven of them, now insuring some 400 US hospitals. Others insure groups of doctors, such as the offshore firm that insures all Harvard-affiliated physicians. By incorporating in a tax haven like the Cayman Islands or Bermuda, the companies need not comply with costly state capitalization requirements, and they also avoid US taxes on their capital and premiums. It is also easier for such firms to restrict their policy holders to carefully selected members. Because of all these advantages, some offshore firms are able to charge as little as one-fifth the rates charged by conventional malpractice insurers.

Whether the new doctor-owned companies will succeed in the long run remains to be seen. But it's refreshing to see professionals devise their own solution to a problem rather than turning to the State for relief.

SOURCES:

- "Malpractice Policies that Earn Profits," *Business Week*, March 21, 1977, p. 37.
- "Doctors and Hospitals Start Insurance Concerns in Caribbean," *Wall Street Journal*, July 6, 1977.

Milestones

• *Financial Privacy Urged.* The Federal Reserve Board should be "absolutely forbidden" to own and operate an electronic funds transfer (EFT) system among its member banks. So said the Privacy Protection Study Commission in its 620-page final report. Moreover, no *other* government agency should own such a system, either. The potential for government misuse of the records of millions of financial transactions is simply too great, the commission concluded, posing "an unparalleled threat to personal privacy." (Source: *Electronic News*, July 18, 1977, p. 28.)

• *Sue the Bastards.* Remember the doctrine of "sovereign immunity" from your history classes? Chief Justice John Marshall proclaimed in 1821 that the State and its subdivisions cannot be sued without their consent. Fortunately, in the last 40 years 38 states and the federal government have abolished or modified that totalitarian doctrine. One of the 12 holdouts has been Massachusetts. But now the state's Supreme Judicial Court has given the legislature a December 1978 deadline for changing the doctrine, spelling out procedures and conditions permitting citizen suits. Or else, the court ruled, it will abolish sovereign immunity altogether in Massachusetts. (Source: *Time*, Sept. 12, 1977, p. 42.)

• *Moving Problems.* Having trouble finding a household-goods mover without a terrible wait? Prices appalling? Blame the Interstate Commerce Commission. According to the Antitrust Division of the Justice Department, the ICC has limited entry into the industry and restricted firms from expanding, in the face of a "serious need for additional household goods carriers." The Division's comments marked the first time it has challenged an ICC decision in the moving industry. (Source: *Wall Street Journal*, Sept. 1, 1977.)

• *More Decriminalization.* North Carolina has become the 10th state to decriminalize the use of marijuana. First offenders will now be subject to a maximum $100 fine, and will not be arrested or jailed. With the addition of North Carolina, 32 percent of the nation's population now lives in states where marijuana has been decriminalized. (Source: "One Third of Country Now Decriminalized," *Normlnews*, July 1, 1977.)

Now Available:

Adam Smith:
The Man and His Works
By E. G. West

1776 was a year of momentous events, including publication of *The Wealth of Nations*—the book that launched the movement for economic liberty. Here is a brisk look at the author of that epic, written for the layman and student. Hardcover $6.95, Paperback $1.45.

The Wisdom of Adam Smith

Adam Smith may have been the first great economist, but he was no dismal scientist. He was instead a man of great philosophical and historical learning, and his literary style was widely admired. *The Wisdom of Adam Smith* brings together his most incisive and eloquent observations on subjects ranging from political and economic history to morals, philosophy, art, education, war and the American colonies. Compiled by British scriptwriter and playwright John Haggarty, edited and with an introduction by Benjamin A. Rogge. Hardcover $7.95, Paperback $1.95.

The Theory of Moral Sentiments
By Adam Smith

Adam Smith's first book will startle those who think capitalists are purely selfish, for Smith fully understood that liberty must be based in a moral order. Dr. E. G. West, who writes the introduction, asserts that "if *The Wealth of Nations* had never been written, this previous work would have earned for him a prominent place in intellectual history." *The Theory of Moral Sentiments* was greeted with rapturous praise in its own day. Smith's friend David Hume wrote to him from London soon after the publication, telling him that "the public seem disposed to applaud it extremely." The "mob of literati," Hume added, "are beginning to be very loud in its praise." Hardcover $9.95, Softcover $2.95.

LibertyPress LibertyClassics

We pay postage on prepaid orders.
To order these books, or for a copy of our catalog, write:
LibertyPress/LibertyClassics
7440 North Shadeland, Dept. J3
Indianapolis, Indiana 46250

by Susan F. Mollison

Trouble On

Vast new regulations on the 87% of Nevada owned by the federal government have

A modern-day range war is brewing behind Nevada's bright lights and busy gaming tables: 87 percent of Nevada, the nation's seventh largest state, is owned and controlled by the federal government, and the 13 percenters have had enough.

As long as population was sparse and isolated, as long as government restrictions were few, peace generally prevailed. But people are flocking into Nevada to take advantage of its favorable tax structure and personal freedoms. Now, ranchers and miners, the interest groups who settled the state, privileged in the past to use Nevada's federal land cheaply, are threatened economically with extinction due to proposed regulations. Recreationalists with off-road vehicles face possible bans on their use of the public domain. Private utility companies encounter 18- to 20-month delays in gaining rights-of-way across federal land. Housing, schooling, and serving the burgeoning federal bureaucracy and their families create increasing taxpayer burdens. Federal land officials now carry arms thanks to the 1976 federal Organic Act; a few fringe groups are discussing "civil disobedience," and some federal officials have requested job transfers to less emotionally aroused areas.

The battle concerns 60.6 million of Nevada's total of 70.7 million acres. Control rests primarily with the U.S. Interior, Agriculture, and Defense departments. Since 1934, Interior has had the lion's share: 52 million acres, with its Bureau of Land Management (BLM) holding at bay more than 48 million acres. Agriculture's Forest Service governs more than 5 million acres and the Department of Defense over 3 million. But the popular bumper-sticker, "Feel Fenced In? Blame the BLM!" identifies the primary villain of this land battle.

Though small acreages of collective domain exist in the Midwest and Southwest, the public-land problem concerns chiefly the 11 western states of Alaska, Arizona, California, Colorado, Idaho, Montana, New Mexico, Oregon, Utah, and Wyoming, along with Nevada.

The Nevada battle is the first to surface, with state political action. The prize is state jurisdiction over all land within Nevada's boundaries, with evential private ownership of most of that land. If Nevadan efforts fail—presaging events in the other, now-watchful, public-land states—national and worldwide consumers can prepare themselves for possible shortages and higher prices for American metals, energy, beef (and beef products such as insulin, estrogen, and thyroid), lamb, wool, and a host of other commodities, as well as far higher taxes to subsidize foreign competition and the growing public-land managerial bureaucracy.

FEDERAL LAND

There had been no public domain as such in the original 13 states. The Articles of Confederation in 1781 stated that "no state shall be deprived of territory for the benefit of

The Range

the citizens fighting mad. And now the feds are packing guns...

the United States." Lands would be held "in trust" for the eventual states to be later created. Thereafter, the Ordinance of 1787, regarding the Northwest Territory, stated that such lands would eventually be "on an equal footing with the original states, in all respects whatsoever."

Article 1 of the U.S. Constitution guaranteed to each and every state sovereignty over all matters within its boundaries, except in certain express instances (namely, the District of Columbia and areas to be used for national defense), with land to be acquired by the federal government only with the consent of state legislatures. Thus it was that the majority of federal lands passed into state and thence into private hands.

After the Oregon Purchase of 1846, the federal government retained public lands, ostensibly also "in trust" for the states to be later formed from them. Two years later, public lands were also retained from the Mexican Cession, including land which is now Nevada.

That "Nevada" land was a great basin of over 160 mountain chains, vast range, desert, and interior water drainage: difficult and forbidding country attempted only by the hardy and independent. Piute, Shoshone, and Washoe Indians, erstwhile trappers and trailblazers, and Spanish missionaries were its few people and travelers. Then *gold* was discovered in California, and between 1849 and 1857 most "visitors" to this western Utah territory were travelers on their way to California or, lucklessly, on their way back East.

Miners had to eat, however, and they liked to eat meat. Before the gold rush, a head of sheep fetched 75 cents on the hoof; at the height of the rush, 25 dollars! Almost as fast as it takes to say his name, men like Kit Carson took financial advantage of the situation, buying cheap in the East and selling dear in the West hundreds of thousands of sheep and cattle. Thus Nevada's vast ranges and mountain meadows and streams came to be discovered and prized by the drovers: no fences barred their access and passage. The valleys and flats were natural winter range, snow providing ample water for livestock; the lofty mountain benches were summer range, crisscrossed by crystal streams and pastured by native grasses. Later ranchers would appreciate the same land for much the same reasons, and today ranching is a billion-dollar industry, dependent on range usage.

As a group, the Mormons did as much to settle the land as the miners caused travel over it. (13 percenters only wish they had settled more of it!) Utah was geographically near, and their religion encouraged them to settle and cultivate the land. The Mormons were also traders: the transient miners' wornout horses and oxen could be traded for food, supplies, and fresh animals; after refattening in Mormon fields and nearby ranges, they could be traded again.

Drawing from 1906 photograph of Nevada prospectors (Douglas Robinson Jr. Collection)

In 1859, in an area of major agricultural cultivation, Patrick McLaughlin and Peter O'Riley discovered a rich ledge of ore, thought to be gold. Crafty, but lazy, Henry Paige Comstock convinced them that the nearby spring of water necessary to its mining belonged to him and thus saw his name grace the lode. It mattered little that the blue ore later proved to be almost pure silver: the rush was on!

People who had previously spilled into California now spilled just as rapidly back into "Nevada." Thousands of foreign born also came seeking freedom and economic independence. (Until 1930, almost half of Nevada's population was foreign born.)

While neither national nor Utah territorial laws described or protected mineral claims, former California gold-rush miners brought with them a practical legal structure—the "mining district," based on purely economic private enterprise. As a means to protect mineral rights, it was well established in California courts by this time.

Economically, the area mushroomed from the dark depths of the earth, literally fed by the sheep and cattle that traversed the vast browse-filled open range. Private stage, freighting, and railroad companies and the Pony Express gained incentives to speed people, goods, and information across the continent.

Politically, outside the mining-district structure, the area was in confusion. But, after southern states seceded from the Union and pro-Union mining and railroad interests gave financial assistance, Nevada territorial status finally became an actuality in March 1861. President Lincoln proclaimed a New Yorker, James Nye, the first terrirotial governor of Nevada.

"If we have a State Government we'll have more fat-headed officers to support," objected one newspaper editor to the Nevada statehood proposal.

STATEHOOD FOR A PRICE

The 1862 territorial legislature agreed to "frame a Constitution and State government for the State of Washoe." (The Washoe Indians were the major tribe in the area.) Editors, such as W.J. Forbes of the Humboldt *Register* spoke out:

"DON'T WANT ANY CONSTITUTION... The Humboldt world is dead-set against engaging to help support any more lunk-heads.... If we have a State Government we'll have more fat-headed officers to support."

While the proposed constitution of 1863 was soundly defeated, Lincoln needed Nevada as a state to help save his own hide: he needed votes to pass the 13th Amendment, and there was a chance that the election of 1864 would be thrown into the House of Representatives.

The silver of the Comstock spoke, and Congress passed the Enabling Act on March 21, 1864. Federal congressional wording provided the name "Nevada," and the entire state constitution was wired to Washington, passing in the nick of time for the presidential election.

The sparsely settled people of territorial Nevada were allowed to achieve statehood in return for their acceptance and compliance with the Enabling Act's provisions. All land not settled or in railroad and future school grants was to be considered "public land." In short, Nevadans traded, for statehood, most of the land within state boundaries and the power to tax that land. Nevada's later inventive laws—legalized gambling and liberal divorce and marriage requirements—to achieve tax revenue would be direct results of the hamstringing Enabling Act and the ensuing Ordinance to which the then-voters of Nevada were compelled to agree.

UNCONSTITUTIONAL

The question of land ownership is at the root of today's battle against the federal government. The political basis for victory rests on the dichotomy between two of the Enabling Act's provisions. The Act particularly stated that Nevada was to "be admitted into the Union upon an equal footing with the original states in all respects whatsoever" but also "that the people inhabiting said territory do agree and declare, that they forever disclaim all right and title to the unappropriated public lands lying within said territory, and that the same shall be and remain at the sole and entire disposition of the United States;...[and] that no taxes shall be imposed by said state on lands or property therein belonging to, or which may hereafter be purchased by, the United States, unless otherwise provided by the Congress of the United States."

Nevada's 13 percenters are indebted to former sheep rancher, attorney, judge, and author, Ciel Georgetta. Judge Georgetta's *Golden Fleece in Nevada* (Reno: Venture Publ., 1972) is a superb and careful account of the rape of 87 percent of Nevada's lands (and, tangentially, those of all the public-land states). It has become the BLM-fighters' bible.

Georgetta directs us to an 1845 U.S. Supreme Court decision, *Pollard* v. *Hagen*, wherein Enabling Act wording for Alabama admission, almost identical to Nevada's, was declared in violation of the U.S. Constitution and thus void. He points out that: "The United States Supreme Court laid down two different legal propositions:

1. that the land under a navigable river belongs to the State and not the Federal Government—because that was the situation in the thirteen original states and *each new state was admitted on an equal footing in all respects*....
2. that the federal government UNDER THE CONSTITUTION cannot *own* land or exert complete sovereignty over land except the District of Columbia, land needed for governmental purposes purchased in a state with the consent of the legislature, and the land of a territory WHICH IS HELD IN TRUST FOR THE FUTURE STATES."

Nevadans traded, for statehood, most of the land within state boundaries and the power to tax that land.

FEDERALES WELCOMED

Since legislation usually creates the opposite of its intent, laws often wind up being fought by those who wanted them in the first place. So it is in Nevada.

The government land regulation that is the bone of contention today was largely created by the livestock establishment—then colloquially known as the Bull Bloc—in an effort to rid itself of its economic competition, the nomadic drover-entrepreneurs of the time—"tramp sheepmen." Even though the Homestead and Desert Entry acts permitting settlers had the result of fencing out sheepmen from many areas, the nomads still made use of tortuous driving routes, squatting on establishment water and range in the process.

The Bull Bloc called on government to help. And help came, initially in the form of the Creative Act of 1891, empowering the president of the United States to withdraw forest land at will from private ownership. Over 5 million prime Nevada acres were so withdrawn. For swallowing the stick of federal control, the livestock

establishment's carrot was the privilege to graze closed lands without interference from tramp sheepmen. Later federal regulations, however, impinged on even the large livestock owners.

In 1934, under the guise of there being great danger of erosion and damage to watersheds due to overgrazing on public lands (the identical words being used today), the triumvirate of Henry Wallace, Harold Ickes, and Franklin D. Roosevelt pushed through the Taylor Grazing Act. In return for acquiescence, sparsely populated western states would obtain road systems federally funded in proportion to the percentage of public domain each contained.

To most regulation instigators, the areas in question are merely places on a map.

This act enabled the federal bureaucracy to gain complete control of 87 percent of Nevada land. The federal government would have the power to determine who would get permits to graze and drill water wells, when and how those permits could be used, and how much they would cost. Certain provisions to safeguard livestock owners' investment in public lands were included.

A few years down the road, and "ecology" and "multiple use" became household political terms, and privilege for rancher and miner was doomed. The Multiple Use Act of 1964, which many supposed to be a temporary measure, allowed the Secretary of the Interior, at will, to permanently withdraw acreage from and for the public domain for multiple-use purposes. Under this act, Interior may repeal nearly all federal-land laws without any act of Congress. Safety provisions of the Taylor Grazing Act were eliminated.

LOCO PROGRAMS

One of the most publicized and controversial BLM programs as result of this law came in 1971: the Wild and Free-Roaming Horse and Burro Act. This gave the bureau full responsibility not only for habitat but for the animals themselves (ostensibly to keep the animals from becoming dog food).

On the range, wild (unbranded and untamed) horses and burros compete for forage and water with branded horses and agricultural livestock, whose owners must pay for such use. The wild animals also reproduce at rates as high as 25 percent per year, and Nevada rancher range allotments are cut as the wild animal counts increase. BLM officials state that these wild animals definitely contribute to the problems of overgrazing (the ostensible reason for federal control in the first place), but even the BLM is, as yet, no match for "Save the Mustang" crusaders.

During 1975 and 1976, a roundup and foster-home program for some 400 wild horses (out of over 25,000 in Nevada alone) was carried out in one Nevada county. Both programs were disasters in federal fund waste and inefficiency. By a 1959 law, the BLM was prohibited from temporarily fencing off waterholes or using aircraft or motorized roundup vehicles; so collection was difficult and time consuming. Then too, anyone wishing to adopt a horse is refused a choice between one that has eaten *loco* weed (and is therefore "crazed" and completely unusable) or one that is sound and healthy. Title to the horse (but not its offspring) resides with the government.

By January 1976, Nevada ranchers finally came to regret the "protective legislation" gained by the Bull Bloc in 1891. For those ranchers using government land received a BLM memo stating that, over a period of years, certain directives were to be enacted: closure of the range to all users for a minimum of two months per year (to prevent overgrazing); ear tagging of cattle (to facilitate cattle counts from aircraft!) and those not ear-tagged to be subject to trespass fines; reduction of grazing privileges (to favor multiple-use concepts); and a 51 percent increase in grazing fees.

This memo had the same catalytic effect on Nevada ranchers as the Townshend Acts had on prerevolutionary America. A ranchers' mass meeting in Elko, Nevada, known as the "Tea Party" occurred shortly thereafter.

To Nevada ranchers, closure of the range would mean special costly cattle roundups to prevent even more costly trespass fines and, while livestock was "off the range," either owning enough private, fenced land to support animal feed or renting private pasture perhaps many miles away. Remember, 87 percent of Nevada land is locked out of private ownership. Many Nevada ranches contain only small percentages of private land compared to federally permitted land. Therefore, these rules erode a ranch's very foundation: livestock production and land resale value.

Over the years the public-land problem has been escalated by a communications gap between those who promote, write, and enforce federal regulations and those who must live with such laws. Most regulation instigators have never been to the areas in question and know little or nothing of the problems faced or of economically practical means of operation there. The areas to be regulated are merely places on a map—in fact, one can drive through sections of Nevada U.S. Forest Service land that literally are, and always have been, bare of any trees whatsoever.

What is not realized—or ignored—by promoters and makers of land-use regulation is that anyone who uses land for economic purposes *must* be an "environmentalist." Caring for the environment is nothing new, especially where productive soils, water, and accessible minerals are at a premium. In the words of one mining 13 percenter: "Whether you use a pick and shovel or a bulldozer, the man who digs any more than necessary won't have to wait for the bureaucrats to shut him down. The economics will do it in short order." The same applies to a rancher, who cannot *afford* to overgraze the land he uses.

But "environmentalism" is in vogue. A recent example manifests itself in the Natural Resources Defense Council's successful suit against the BLM (*NRDC et al. v. Morton*), requiring the filing of environmental impact statements (EIS) dealing with livestock grazing in specific areas. By 1984, 212 court-ordered EISs are to be completed, covering the 11 western BLM states.

Nevada ranchers shudder at the first EIS, which was for the Challis, Idaho, area. It weighs in at 5-1/4 pounds, advises strictly limited grazing, and, among other things, proposes to augment the "visual resources" of the public domain: lands should be graded numerically and arranged by color and texture, with fencing appropriately colored not to jar the eye; moving cattle should be prevented from causing dust conditions that would interfere with good "sightseeing experience." And what would we do if dustcloud-raising *buffalo*, the demise of which is so lamented by environmentalists, still roamed?

One can drive through sections of Nevada U.S. Forest Service Land that literally are, and always have been, bare of any trees whatsoever.

The successful NRDC suit, along with continuous Sierra Club pressure, likely helped pass the BLM Organic Act in October 1976. It replaces the Homestead and Desert Land acts with plenary power

of the BLM, with public lands to be *retained* in federal ownership unless disposal serves "the national interest." This act also permits the *arming* of federal agents who enforce public-land laws. Thus Nevada now has an armed federal police force on 87 percent of its territory. Other proposed enforcement regulations stemming from this act are serving to consolidate opposition from all public-land users in Nevada.

Nevada recreationalists and off-road vehicle users, too, are feeling the spurs of federal control. If proposed regulations go into effect, they will no longer be permitted free use of federal land but will have to apply months in advance for a permit stating where they will go, how many they will be, how long they will stay, and what they will do; and, naturally, they will have to pay for the privilege.

Miners and prospectors, having enjoyed relative freedom under the 1872 mineral location law, are now faced with posting $100,000 bonds before working on public land. Many established mining contractors have already been told by major national insurance companies that such bonds are unobtainable because insurers are unwilling to entertain long-term obligations without cancellation provisions. And this measure spells the extinction of individual miners and prospectors.

Nevada now has an armed federal police force on 87 percent of its territory.

Proposed surface-mining regulations require costly mining claim refiling maps and fees and reclamation and revegetation of mine sites. The manager of one gold mine estimates that reclamation costs could run $100 million for 234 acres. The amount of earth needed to fill up already worked mine pits is mind-boggling. Revegetation for areas with less than 10 inches annual rainfall is viewed as absurd. Then too, if mine workings are to be destroyed and covered up, valuable windows for future development will be lost, forcing costly extra geological drilling or further stripping of new areas to regain previously exposed information. Almost everyone sees a continued and increased dependence on foreign mineral imports if the federal government has its way. (In 1976, Nevada mineral output had a value of $211.2 million; in 1975, $258.4 million.) A popular mining-oriented bumpersticker blares, "Let the Ecological Bastards Freeze in the Dark!"

13 PERCENTERS ARISE

Basically, public-land users believe that 100-odd years of privilege have garnered them rights. Their opposition, however, is not confined to the display of bumperstickers.

From time to time, Nevada range users have applied political pressure to create state committees on federal land laws and to request additional land grants. A 1970 state legislative committee requested the federal Public Land Law Review Commission to grant 6 million acres to benefit the common schools, but, with the demise of the commission, the Nevada request was thrown out.

1975 saw, chiefly through the efforts of state Senator Richard Blakemore, a senate concurrent resolution creating a legislative Subcommittee on Means of Deriving Additional State Benefits from Public Lands. The resolution especially suggested applying to Congress for more land and greater state administration of public lands, legal action by the state, "or other measures to be devised."

But it was the BLM memo of January 1976, proposing range closure, increased fees, and costly ear tagging, that produced a tidal wave of antifederal feeling (Nevada miners would not receive a similar directive until late December 1976). Within weeks there was the anti-BLM "Tea Party," and central Nevada ranchers began assembling petition signatures for "the transfer of ownership of public lands from federal government to the states" and expressing moral claims and displeasure over federal management. In mid-March, the president of the Nevada Cattlemen's Association, supported by cattlemen and sheepmen, formed the Nevada Land Action Association.

Wherever BLM-sponsored public hearing were held, hundreds of furious range users packed in. After one stormy session, BLM officials refused to allow anyone other than a BLM official to address the group at large. The huge and widely represented gathering dispersed in rage. Since then, several protesting Nevada ranchers state that they have been fined and retaliated against in a number of ways, not the least of which has been the federal stampeding of cattle by low-flying helicopters (attempting cattle counts) and further waterhole and range restrictions. These are third- or fourth-generation ranchers, and they are not about to give up.

Then the miners got into the act. The Northeastern Nevada Miners and Prospectors Association circulated a referendum petition for a Nevada Public Lands Ownership Act, seeking to amend the state constitution. It declares all federal land in the state to be held illegally and unconstitutionally, with the exception of Indian treaty lands. A land commission would be set up to supervise sale of lands to the highest bidder with five years of beneficial (productive) development perfecting ownership. Once approved by the legislature or statewide ballot, any federal official attempting to exercise jurisdiction over the "public lands of the State of Nevada" would be adjudged to be committing a felony punishable by imprisonment.

At the time, this petition was branded "Bircher" by some. Hadn't Nevada citizens, by allowing the federal government to continue its control, actually legalized it by their submission? "Legislative remedy" based on the "equal footing" doctrine—as in the proposed Nevada Public Lands Ownership Act — said "No": Nevada has always had the constitutional right to assert control over its lands because it was granted statehood on equal footing with the original states.

Then came a number of court cases testing the equal-footing doctrine in Nevada and other western states. On January 12, 1977, the U.S. Supreme Court in effect supported the 1845 *Pollard* v. *Hagen* decision and ruled in favor of states' rights. This case, *Oregon* v. *Corvallis Sand and Gravel Company*, involved beds of navigable rivers and found that enabling-act wording does not supersede prior states' rights based on the equal-footing doctrine guaranteed under the U.S. Constitution. Nevada served as an *amicus curiae* in this case.

As sure as "gambling odds favor the house," Nevada's 13 percenters will not give up.

At approximately the same time, as a direct result of restrictive mining regulations proposed by the Department of the Interior's BLM, a new vocal group backed by mining corporations and consultants came into being: Citizens for Mining. This nonprofit group vows to assist not only mining men but ranchers, recreationalists, and rural communities whose incomes derive heavily from public-land use, primarily by communicating to the media nationwide the problems created by federal control.

And, riding the crest of the growing antifederal wave, Nevada's Senators Blakemore and Glaser (both Democrats) introduced senate bill 398, proposing the formation of a commission to sell, lease, or trade the 60 million federally owned acres within the Nevada border. The fact

that this bill was introduced at all shows the surge of 13-percenter sentiment statewide. A public hearing on the bill in Carson City was jammed, and not one voice spoke out in disfavor. Even the editor of Las Vegas's primary newspaper, the *Review-Journal*, supported SB 398 in print.

WHO WILL WIN?

Although SB 398 died in committee, Senator Blakemore gained passage of a bill—similar to his 1975 effort—that sent a special judicial and legislative committee to plead Nevada's case in Washington, as a "first step in avoiding violent confrontation." Department of Interior officials "pledged cooperation" and listened to suggestions, including fair-market sale of Nevada public lands—to establish a trust fund to buy *eastern* lands for the federal government!

As a result of Nevadan agitation, reinforced by Blakemore and Nevada U.S. Senators Laxalt and Cannon, draft BLM regulations are pending (with possible 1978 action) to free a token 67,000 acres of Nevada public land for private homestead use, bypassing state collective ownership. This is land that has been "reexamined" and found capable of supporting families of four in approximately 400-acre parcels. Land is proposed to be sold at market value—with lots of red tape attached, naturally. Irrigation systems must be put in over a period of time, and the land will have to be "proved up," much as land "freed" under the Homestead and Desert Land Entry acts (now in moratorium), to show that it is providing family income and "beneficial use."

Attempts to restrict the small miner and prospector by repeal of the 1872 Mining Law have also been thwarted by a grassroots groundswell of opposition, in part Nevadan. Chairman of the House Interior Committee Morris K. Udall, who desired a new law permitting miners only to lease minerals rather than own them, has stated that he will not try to replace the old law but only "clarify" it.

Along with these "crumbs" to the individual there are also ominous happenings that spell difficult times ahead.

As of May 1977, new BLM "special investigators" were packing guns—"asking for trouble," in one legislator's words. A number of BLM personnel have requested transfers because they do not wish to wear, or be forced to use, firearms. The gut power of the federal government is now stripped naked. Bureau officials in Nevada publicly tone down or deny department gunslingers, although all admit the federal Organic Act of 1976 permits them. In typical after-the-fact government lingo, Interior Secretary Cecil Andrus told the Western Governors' Conference in Anchorage, Alaska, on September 1, 1977, that he may create a new federal police force because "I've got people being shot out in your areas" and because local law enforcement officials "smile about running off feds." While Andrus refused to say where the shooting incidents occurred, Nevada BLM officials, when contacted, stated they "do not believe any shooting incidents took place in Nevada."

Secretary Andrus has also taken up Carter's call for national water-policy reformation, announcing in late August 1977 Interior proposals that would affect large family or corporate agricultural and industrial holdings in 17 western states. The proposals, falling under the 1902 Reclamation Act, restrict operators receiving federal water from owning more than 160 acres (320 for husband and wife) and from leasing more than an equal amount. The operator is to live within 50 miles of his land. Farmers and ranchers with "excess" land would have to dispose of their land within 5 years (the 1902 law says 10 years), with the Department of Interior determining, perhaps by lottery, who can buy land receiving reclamation water.

At present the average farm in western mountain states is 2,139 acres and the average in Pacific coast states is 516 acres. Farmers and cattlemen have objected to the breakup of large efficient farms, vowing legal action. They say this would mean a return to the horse-and-buggy days of subsistence farming, resulting in higher labor and production costs and higher prices for smaller quantities of food. Several million acres of land would be affected, including California's rich Imperial Valley and the Fallon, Nevada (Newlands Water Project), area near Reno. Because federal, state, and state-appropriated private waters often comingle, farmers and ranchers hundreds of miles from federal reclamation projects could be affected. Tampering with water in the West is deadly serious business, and it is not unlikely that the question of water rights and water usage will prove the catalyst in uniting western opposition to runaway federal control.

Those who distrust government are watching these politically oriented developments with interest, waiting for opportunities, and trying to keep the root of the problem—the question of private versus collective ownership—identified. They surmise that private Nevada land ownership may have to await either collapse of the national economy, when the feds might again need land-sale revenue as a source of income, or possibly even the threat of western states' secession from the East (an active council of western states' legislators is already an actuality).

But however the public-domain problem is resolved, as sure as "gambling odds favor the house," Nevada's 13 percenters will continue to give the 87 percenters a run for their money until the battle is won. ☐

World Famed BREVETTATA Tear Gas Pistol SOLD DIRECT BY MAIL

REQUIRES NO PERMIT

Solid metal construction with bulldog grips, looks like a real gun. Stops aggressor without permanently injuring him. Gives needed protection for people who work in lonely, dark locations. Ideal night security for wives and daughters. Still no federal permit or license needed, but not sold to minors. Fires seven cartridges without reloading. The price of each gun-unit includes one gun, ten rounds of tear gas shells, and all shipping cost. Prompt shipment. Insured. We've been selling tear gas equipment for the past fourteen years. Thousands of satisfied customers.

- ☐ 1 Gun-Unit $17.00
- ☐ 2 Gun-Units @ $15 ea. ..... (total $30)
- ☐ 3 Gun-Units @ $14.50 ea. ..... (total $43.50)
- ☐ 4 Gun-Units @ $14 ea. ..... (total $56)
- ☐ 6 Gun-Units @ $13 ea. ..... (total $78)
- ☐ Extra tear gas shells ..... $3 for ten
- ☐ Blanks for practice ..... $2.50 per 100
- ☐ Holsters ..... $2.50 ea.
- ☐ Tear Gas Antidote, Bottle $2.88

NAME ..... CITY .....

ADDRESS ..... STATE ..... ZIP .....

Enclosed is ☐ Check for $.....
☐ Money Order for $.....
or charge my ☐ Master Charge ☐ BankAmericard
Card Number .....
Exp. Date ..... 1975 Brevettata
Signature .....

ORDER BY MAIL from BREVETTATA:
Dept. PE, 310 W. 9th St., Kansas City, Mo. 64105

BANKAMERICARD — Master charge

NEVER BE AFRAID OF SNAKEBITE AGAIN

write for free booklet "Freeze-A-Bite"

Box 7243-V, Kansas City, MO 64113

Sue Mollison has worked in Nevada for the aviation and mining divisions of the Summa Corporation, and she now reports for Central Nevada Newspapers and works on children's books. Her reprint of Rose Wilder Lane's Give Me Liberty *was published in June 1977.*

How To Get Converts LEFT & RIGHT

Political Cross-Dressing Is the Answer

by Michael Emerling

As Libertarian Party candidate for president of the United States, Roger MacBride campaigned and spoke in many cities. He constantly sought brief and effective ways to present libertarian ideas. During a question-and-answer session in Phoenix, Arizona, a member of the audience rose and said, "I like a lot of what you've said, but I disagree with you on gun control. Surely you realize that Saturday Night Specials have to be banned."

MacBride waited a few seconds before answering. He replied, "Laws that forbid inexpensive handguns deprive blacks and other low-income minorities of a means of self-defense. Poor blacks living in ghettos cannot afford $200 pistols. How can you defend a racist proposal like this?"

The questioner was stunned. He stared at MacBride for a moment, then sat down.

Confronted with the same question, most libertarians would have talked about the right to self-defense, the immorality of government coercion, the Second Amendment, or some other point equally unimportant to the questioner—who would have remained unpersuaded.

Because libertarianism cuts across the left/right political spectrum, it has views in common with the left and right. While liberals agree with us on certain civil liberties issues, conservatives endorse most of our free-market position. But how can we bring both sides into full alignment with freedom?

In 1976, I discussed this problem with John T. Hamilton III, a libertarian strategist and activist living in Tucson, Arizona. He had developed an enormously effective technique for bringing the left and the right to a consistent libertarian position. He acknowledged that some writers and speakers have used it, but none of them seemed aware that it is a specific technique.

It is called "political cross-dressing." "Cross-dressing," of course, refers to the adoption of the dress and behavior of members of the opposite sex. For the libertarian, political cross-dressing means using right-wing words, evidence, and arguments to support civil liberties, and left-wing terms and reasons to support the free market. Because statism is unjust *and* inefficient, evil *and* impractical, libertarians can present moral *and* utilitarian cases against it in all spheres.

Political cross-dressing is based upon a sound principle of salesmanship: it shows the prospect how the "product" will fulfill his wants and needs. This can be done because freedom has something for everyone.

Milton Friedman is a master of this technique. In a February 1973 interview with *Playboy* magazine, for example, he accomplishes a tour de force with it. Consider one instance. In opposing minimum wage laws, he says:

> You very seldom find poor people testifying in favor of the minimum wage. The people who do are those who receive or pay wages much higher than the minimum. Frequently northern textile manufacturers. John F. Kennedy, when he was in Congress, said explicitly that he was testifying in favor of a rise in the minimum wage because he wanted protection for the New England textile industry against competition from the so-called cheap labor of the south.

"The effect of a minimum wage law," he continues, "is to produce unemployment among people with low skills. And who are the people with low skills? In the main, they tend to be teenagers and blacks, and women who have no special skills or have been out of the labor force and are coming back."

How could free-market mail delivery be sold to the left? One might want to say:

> The postal monopoly delays, loses, damages, and destroys thousands of letters and packages each day. It is unresponsive to consumers. It overcharges the consumer on first-class mail to subsidize Big Business on second-, third-, and fourth-class mail. It lets the CIA and FBI open and examine private communications.

Suppose a libertarian wanted to persuade conservatives or moderates that drugs should be legalized:

> As a defender of law and order, I advocate legalizing all drugs. Individuals under the influence of drugs rarely commit crimes. Drug-related crime occurs when the law stops a person

from getting the drug he desires.

Legalizing drugs would sharply reduce their cost. This would eliminate the need to steal to support a drug habit. Police officers who now pursue drug users and sellers could go after murderers, rapists, muggers, thieves, and other dangerous people. Courts would have the time and resources to convict those who threaten the lives and property of decent, law-abiding citizens. Organized crime would be weakened: its huge profits from illegal drugs would vanish. This would save taxpayers money.

Political cross-dressing is a piecemeal approach to liberty, selling one conclusion at a time.

The speaker is offering better police protection, more effective courts, weaker organized crime, and lower taxes. He is giving "practical" reasons for expanding freedom—the cost of suppressing civil liberties is simply too high.

Forced busing is an easy issue to cross-dress. Busing students to achieve racial balance is racism of the lowest order. To achieve racial balance, the government must assign students to school on the basis of race; it must forbid them to attend other schools, because that would create racial imbalance. But forbidding a student to attend a school on account of race is clearly racial discrimination.

Effective political cross-dressing requires fluency in the major political languages—of the left, the right, the feminists, the socialists, the ecology movement, and so forth.

There are ways of making political cross-dressing even more effective. One is called "left drawer/right drawer." It consists of cross-dressing issues while alternating left- and right-wing conclusions. For example, suppose a libertarian wanted to speak on gun control, forced busing, the postal monopoly, drug legalization, gay rights, and a noninterventionist foreign policy. While speaking, the libertarian would rotate the issues so that each side gets every other issue. Observe the pattern: left-wing reasons for free-market mail delivery, right-wing reasons for gay rights, left-wing grounds for opposing gun control, right-wing arguments for legalizing all drugs, and so on.

"Left drawer/right drawer" produces some interesting results. First, it prevents the average person from classifying libertarianism as "left" or "right." This often leads to a more attentive examination of its tenets. Second, by appealing to the right and left at the same time, the libertarian confuses the left/right spectrum. To broaden their appeal, both left and right must therefore move closer to the center. They must compromise, sell out, water down positions, and evade clear stands to get more support. The libertarian, however, remains true to his beliefs. *His* base is broadened by his method of selling libertarian ideas.

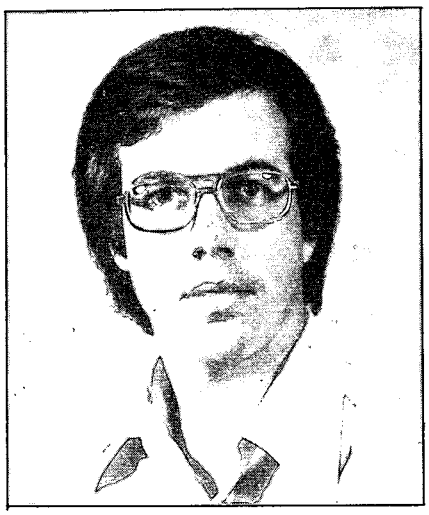
Effective political cross-dressing requires that one be fluent in the major political languages—of the left, the right, the feminists, the John Birch Society, the socialists, the ecology movement, and so forth. Many individuals are married to a subculture jargon, a special syntax, and communication must take place in their dialect or not at all. To reach these people, one must know their language, the evidence and arguments with which their views are supported, their wants and needs, and their emotional cue words. These are the elements of successful political cross-dressing.

I have barely touched the surface of the possible uses of this technique. It is limited only by the cross-dresser's imagination and knowledge. As a candidate for the U.S. Congress, I have had hundreds of opportunities to test this method on people who had never heard of libertarianism. Time after time, I saw "light bulbs going on" in the eyes and faces of listeners.

Why does the technique work? There are several reasons. It offers something to each side of an issue—evidence, arguments, terms, and cue words to one, the conclusion to the other. Both sides perceive the speaker as an ally. He seems to have a foot in each camp, but neither side minds. The libertarian is either "right for the wrong reasons" or "wrong for the right reasons." In either event, he is not "the enemy."

Cross-dressing breaks up old patterns of thought. It develops new insights and connections for listeners or readers. Because the approach is refreshing and original, people are often motivated to rethink their positions. And because the arguments are new and unusual, they get exposure. The working press appreciates hearing something different. So does the public.

Political cross-dressing does not require an immediate, radical change in the listener's political philosophy. It is a piecemeal approach to liberty, selling one conclusion at a time. As the person accepts one pro-freedom stand after another, he will soon reach a point where the libertarianism comes naturally. ◻



Michael Emerling has contributed to various magazines and is the author of Theistic Objectivism: An Autopsy. *He has run for office and lectures on "The Art of Political Persuasion."*

blueprint for a modern ark.

Ever wish you had a self-sufficient country retreat — a place where you could live in comfort and safety for an extended period of time?

How To Plan And Develop A Survival Retreat is a detailed, proven guide to setting up your own modern hideaway. Written by experienced retreater Sidney Ragsdale, the book covers site selection, security, costs and financing, roads, independent water and electrical power systems, an energy-efficient house, storing fuel and supplies, and much more. Conservation of energy and operational reliability of systems and equipment are strongly stressed making this plan both practical and environmentally sound.

To order your copy send $9.95 (ppd.) to:

Ragsdale Publications,
P.O. Box 6566
Carmel, California 93921

(Or write for additional *free* information.)

REASON INTERVIEW:

WOODY JENKINS

A libertarian and *a Democrat? Working in smoke-filled backrooms and pushing for individual rights? Drafting legislation to legalize voluntary activities* and *holding that government shouldn't even have a say in the matter? In short, a politician* and *a liberty lover? That's what it looks like. Louis "Woody" Jenkins—elected to the Louisiana House of Representatives on a Democratic ticket, but a self-professed libertarian—appears to be living proof, not of political schizophrenia, but of the possibility of working for individual liberty through established political channels.*

Woody Jenkins was first introduced to REASON *readers in the "Spotlight" feature in August 1976. The success story recounted there—journalism and then law-school graduate of Louisiana State University, work in radio and TV while a student, co-founder [with his wife, Diane] of a weekly Baton Rouge newspaper, a successful campaign in 1971 against four opponents for a seat in the House, reelection in 1975, introduction in the legislature of pro-freedom measures—all this, as well as Jenkin's affable nature, suggested a* REASON *interview.*

Senior Editor Tibor Machan and Book Review Editor Marty Zupan arrived in Baton Rouge—the state capital and Woody's home town—on a hot, dripping-humid Thursday in early June. The legislature was in session, so they spent the afternoon in the House balcony observing Jenkins and his colleagues in action. Under consideration was the annual budget submitted to the legislature by the governor. As item after item was taken up, and as proposal after proposal to cut the budget—many initiated by Jenkins and his conservative allies —was turned down, Woody's success story as a libertarian politician began to dim. He himself was to acknowledge in the interview later on that he has accomplished least in attempts to influence the spending end of things.

But there's more to the story, illustrating that "success" depends on where one's starting from. When Woody Jenkins first arrived in the legislature, and until he got into gear a few

What troubles me about the Libertarian Party is that it draws off so many people who could be effective in the mainstream of political activity.

photos by Eric Mack

years thereafter, there were proposals then, too, to amend almost every item of the governor's budget—but those proposals were to increase *appropriations, and many of them passed. Now the entire debate has shifted. True, not many of the cutting-amendments* pass, *but increases are not even the issue any more. It is no doubt facts like this that feed the optimism Woody displays and even imparts.*

After dinner at his home with two other libertarian representatives and their spouses—hosted by Diane and, of course, their cheerful six-month-old daughter, Margaret—Woody kicked off his shoes and started to answer questions. The interview lasted for the better part of four hours, ending at 2:30 in the morning. He was due at 8:00 Friday morning to be on hand for the beginning of a three-day political action conference in Baton Rouge, organized and largely financed and run by—yes, Woody Jenkins. When the energetic Louisiana representative from Baton Rouge is optimistic about what can be accomplished by political activity, he really means political activity*!*

REASON: Amongst those concerned with bringing about the ideal of liberty in this country, there is a debate about whether it is better to work within the system, as it were, or to attack the system squarely without yielding or any participation in it. You are an elected Democrat; you consider yourself a libertarian. Given that the Democratic Party has many principles that are certainly not in accord with what libertarians would value, how do you reconcile your being a libertarian and your working within the system as a Democrat?

JENKINS: Well, I consider it legitimate to work both within the system and outside the system. In fact, I think that it is essential that we have people who believe in limiting the power of the State working within all of our basic institutions, as well as outside the system. The basic institutions include the major political parties, education, the media, business, labor, and so forth. This is the approach that leftists have taken, and it is an approach that we should take also. I don't think we can afford to yield by default any major institution to the people who want to expand the power of government.

REASON: Why be a Democrat instead of a Republican?

JENKINS: Because that's one of the places where the need is greatest. A large portion of the average Democrats in this country want to limit the power of government, but they don't have spokesmen within the party—or very few spokesmen. And since the Democrats do have a majority of the elected officials, I think that's where we need to put a great deal of emphasis.

REASON: What do you think, then, of participating in the Libertarian Party? Is it viable?

JENKINS: Sometimes it is and sometimes not. I think the Libertarian Party has served a very useful function by identifying libertarians—with a small *l*—throughout the country and helping them to meet one another and work together. But I don't feel that the party has the potential at this time to be effective in actually changing things politically—for a lot of reasons.

REASON: Just a couple of them.

JENKINS: Well, I think in the past parties have generally emerged in this country because they came along at the right time in history and they provided the right alternatives to help them grow. At this particular time it's very difficult for a party to emerge and grow if it boasts about ideology above all, because most Americans are not overtly ideological despite the fact that they have a value system which is basically in many ways libertarian, I think. Also, there is a predominant mood in the Libertarian Party that there is something evil about actually winning and being elected to anything, and that's a very inconsistent position. There is a confusion also between political campaigns and educational efforts. Political campaigns are *not* effective tools for educating the public. You can very well, though, educate the public after you get elected to office.

REASON: You said the party has been valuable as a means of bringing libertarians together. So should the people who have concentrated their efforts on building up the party continue with that because of this valuable function?

JENKINS: Well, I think the party serves a legitimate function by its mere existence, but what troubles me about it is the fact that it draws off so many people who could be effective in the mainstream of political activity. They could be U.S. congressmen, senators, governors, and mayors—if not today, in the very near future. What I would suggest is that individuals who would like to get into government and change things consider working within one of the major parties, because political activity can be a very effective way to change things if you get elected.

In addition, you have to recognize that it is a very inefficient allocation of time and resources for a group of ideologues to unite in one party over a period of time, because they isolate themselves from their most widespread potential influence. And I can see great danger to isolating all advocates of liberty in one party, because what's going to happen to the other parties? If you really have dedicated statists controlling both—or, say, the remaining major party if the Libertarian Party were to become a major party—what we'd have is a communist state as soon as those people got in power.

It's relatively easy for a group of dedicated ideologues to take over a major party—look at what the McGovernites did—or to have substantial influence in two major parties, and I think that's what we should do. I don't think we should

It's relatively easy for a group of dedicated ideologues to take over a major party—look at what the McGovernites did.

leave these institutions with an ideological vacuum.

REASON: There are many people who predict that, given the kind of bureaucracy that's been set up, it is almost impossible to crack the present momentum of statism. We interviewed the economist Yale Brozen a couple of years ago [December 1973], and he said the trouble is that every time you try to knock down a measure, they not only keep it, but they add to it. You suggest deregulating the airlines, for example, and the bureaucracy and often even the industry marshals its defenses and saves regulation, in the meantime adding another layer of controls. So you're facing that kind of obstacle.

JENKINS: Well, this has not been my experience in government. In our own state, I think we have turned around the direction of government. We have less government now in terms of its involvement and its intervention in people's lives than we had when I was first elected to office in 1972. One of the main reasons is the involvement of people in our state government who *wanted* to turn it around and who consciously made an effort to sway opinion—public opinion and leadership opinion—and who consistently presented libertarian alternatives. We can do it in Louisiana, and I think the trend toward bigger government and less protection of rights can be turned around almost anywhere in our country—we're not that far gone. But I do think that it will require political activity.

REASON: We visited the House today to see you in action, and as you know we came away somewhat frustrated. We saw attempt after attempt to cut the governor's proposed budget. We saw the most cogent arguments—one of them presented by you—treated with utter disdain and disinterest by your colleagues, to the point where they were sitting around having big conversations and so on. Yet you are optimistic about your potential effectiveness.

JENKINS: Well, you saw a rather unusual event. First off, this was a committee of the whole, which is more informal than a regular session of the legislature. And in general the House is very attentive when I and others of my persuasion speak, but then we normally speak on more substantive matters than amendments to the general appropriations bill. The advocates of liberty in our legislature have been quite effective in dealing with a broad range of legislation, but we have not been very successful in affecting the appropriations process, the specific items and amounts of appropriations for our state budget. I suppose one reason is that that's where much of the political power rests. In other words, politicians will quibble on questions of the power of government, but they don't like to quibble when it comes to whether their roads will be built and whether jobs for their friends will be filled and things of that nature.

REASON: On an occasion like today, do you pretty well know what will happen, such that you're not terribly surprised?

JENKINS: Oh, sure. After all, we knew all along that very few of the amendments to cut money from the general appropriations bill would pass. We did succeed today in cutting $1.1 million from the budget, a relatively small amount. But what we're trying to do with these amendments is build a case, and a very clear record, that there is no need for additional taxes, and we're doing that by pointing out the weaknesses, the soft spots, and the fat in our present budget. We know the amendments will fail, but we think we're convincing a large number of legislators to vote *against* additional taxes.

REASON: In reviewing your last few years in Louisiana politics, what do you think are your major accomplishments?

JENKINS: Well, in gauging one's own accomplishments—particularly in government—I think it's important to consider how basic they are and how widespread and permanent their effects might be. Now in that regard, certainly, I think that my participation in the new state constitution of Louisiana will have the most fundamental and widespread and long-lasting effects relative to anything else I have done, because in the new constitution we have a bill of rights—I think the first bill of rights of any state or national constitution—which does include many basic libertarian principles and which has been influenced by libertarians.

REASON: How did that come about?

JENKINS: Louisiana held a constitutional convention in 1973 which had as its purpose the preparation of a draft constitution for submission to the voters of the state to replace the 1921 constitution. The old constitution was the second longest in the world and was extremely complicated and contradictory, so there was a move to simplify it and also to make the extensive number of amendments which were submitted to voters every year unnecessary.

REASON: How did you get in on that?

JENKINS: I was elected as a delegate from the same area that I represent in the legislature. I had opposed holding a constitutional convention. I was one of only two members of the legislature who voted against having it, because I felt almost certainly a constitution drafted in 1973 would be more statist than one drafted in 1921. But with that fear in mind, I decided to go on and to at least know what the convention had done so that I could help defeat it after it was completed. Well, as it turned out we had an excellent group of delegates to the convention, who were in many respects apolitical because you can't run for reelection as a delegate to the constitutional convention and many of the delegates had no further political ambitions.

Also, we had an unusual situation in the preparation of the bill of rights. We had a 10-member Committee on the Bill of Rights and Elections, and this committee had five liberals,

There are issues which do not involve questions of rights, and there is nothing wrong with compromising on those.

four conservatives, and me, which meant that on a vast array of issues I had the deciding vote. And of course, when the liberals were right on social freedoms, I supported them, and we have a bill of rights which is liberal on social matters. And when the conservatives promoted economic liberty, well, I was supporting them, or I was doing it and they were supporting me. So we have a bill of rights which is conservative on economic questions.

Moreover, I guess the most fundamental change in our bill of rights is that in a rather consistent fashion it protects *individual* rights and not so-called collective rights. Never once is there a mention of "the rights of the people," whereas in the U.S. Constitution it says things like "the right of the people to keep and bear arms shall not be abridged." And the courts have said, "Well, that's just the right of the *legislature*, because it *represents* the people."

REASON: Did you have to argue for the "individual rights" wording?

JENKINS: Oh yes. But ultimately the committee was convinced that that was the proper approach. And that concept was challenged on the floor by conservatives, who saw this, correctly, as a fundamental change. But on the convention floor, advocates of individual rights were able to prevail. And this reflected itself in very strong protections of the right to property, the right to keep and bear arms, the right to privacy, and a whole range of other things.

REASON: What is the wording whereby you have the right to property protected, because that's not very explicit in the U.S. Constitution?

JENKINS: Well, it's not even really mentioned there, except to say that property can't be taken without due process and just compensation. But this constitution does explicitly state that every person has the right to acquire, own, use, protect, and dispose of private property. And then it makes certain exceptions to this. It's not stated, unfortunately, as a right without limitations. It allows the expropriation of property for certain purposes, just as the previous constitution did, but it includes new provisions for compensation. And it puts greater restrictions on the government's power to expropriate, especially with regard to the purpose for which property can be taken. For example, it prohibits the expropriation of any business enterprise for the purpose of operating that enterprise. So you can't have a nationalization of any business within the state of Louisiana. And, as an aside, other provisions of the constitution combined with this one would actually make it very difficult for the *federal* government to nationalize or expropriate any business enterprise within the state.

REASON: You once wrote a law review article about the new constitution.

JENKINS: Yes, in the *Loyola Law Review*, Spring 1975.

REASON: One of the interesting things about it is that there are footnotes to Murray Rothbard, Ayn Rand, and so on.

JENKINS: In fact, in the hearings of the Committee on the Bill of Rights and Elections, a number of articles by Rand were discussed. The chart on political systems by Dave Nolan was discussed. And a number of other laudable writers and ideas were delved into. The transcripts from the committee hearings and debates are fascinating. Just about every side of every issue was discussed. There was hardly a word placed in that constitution that people didn't understand the full impact of.

REASON: Writing a constitution is sort of an ideal case for libertarian involvement. But can a *legislator* consistently oppose coercion, or must he compromise on the principles of liberty: Say you have a choice between voting for a tax increase of 20 percent and a tax increase of 10 percent. Some libertarians argue that by voting for the 10 percent so as to prevent the 20 percent increase, you are an accomplice to something that is fundamentally immoral. And since these kinds of choices come up all the time, they believe it better to stay out of the political arena altogether, that one couldn't possibly be a politician and uphold libertarian ideals.

JENKINS: I think I have upheld those ideals, so I think it is possible. I don't think that involvement in government is in and of itself necessarily wrong or evil—any more than it would be wrong or evil to be involved in an armed robbery if you were the victim or if you were someone who came along and tried to stop the plunder. You'd be involved, but you wouldn't necessarily be a perpetrator of the evil or wrongdoing. In my own case, what I've tried to do is to be an influence for stopping the violation of people's rights, and I have never knowingly voted in any manner to violate people's rights.

REASON: Isn't there any case where, in order to secure a relatively significant accomplishment for liberty, you may have to bargain on some other issue in your capacity as a legislator?

JENKINS: No. There are times when you might want to bargain, but never in such a way that it would compromise people's rights. There are issues which do not involve questions of rights, and there is nothing wrong with compromising on those. But with regard to questions that do involve the rights of individual citizens, you would never want to engage in a compromise that would result in people having their rights *less* protected.

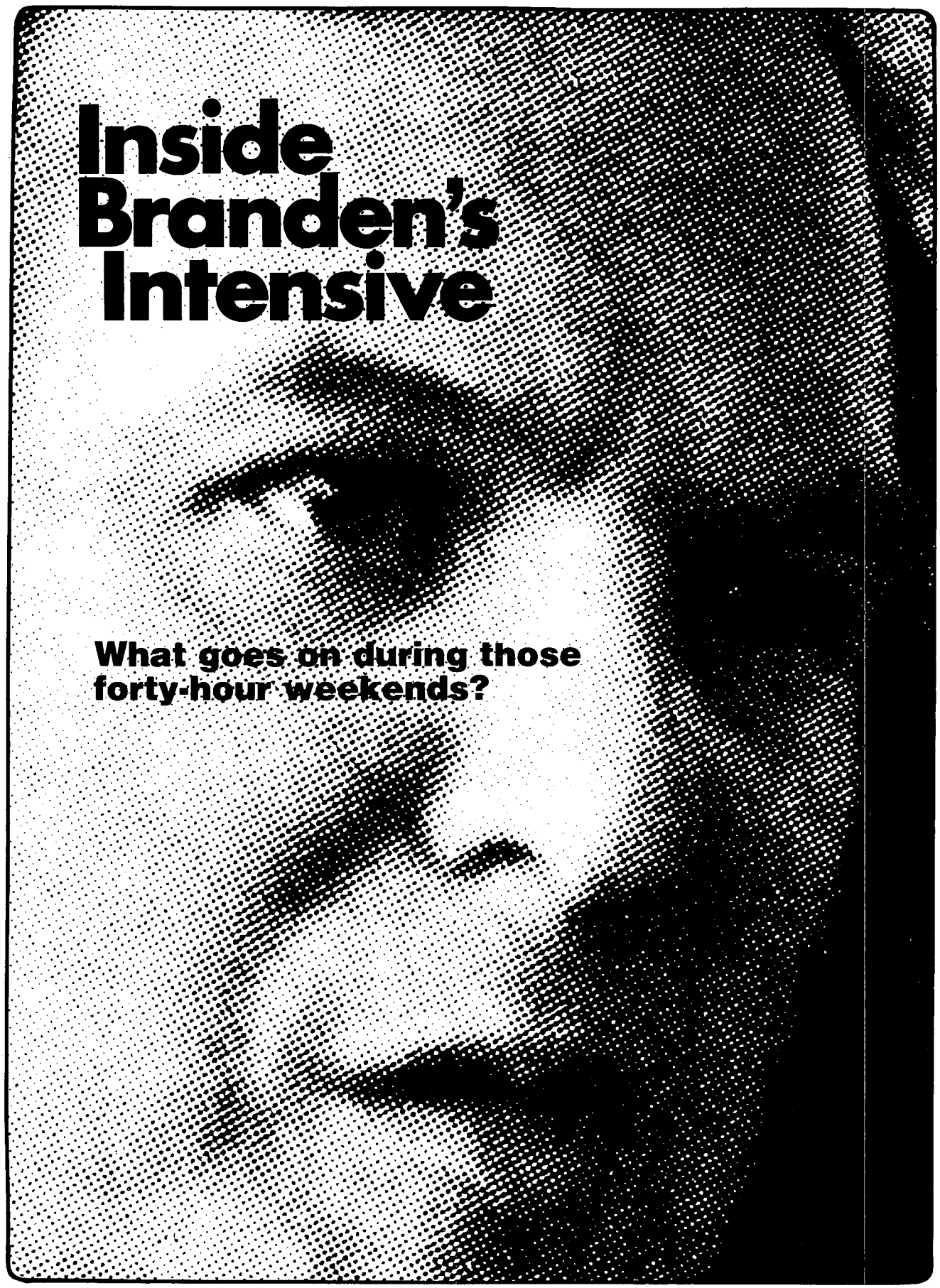
Suppose we're talking about the reduction of a given tax or its elimination. I see that there is substantial opposition to repeal, and I know that I might win by agreeing to make my bill merely a reduction in the tax. Since getting a reduction

[*Continued on p. 32.*]

We don't have enough experience either with limited governments or with the absence of government—I'd settle for either one at this point!

Inside Branden's Intensive

What goes on during those forty-hour weekends?



by Cheri Adrian

Many of REASON'S *readers have had an interest in the work of psychologist Dr. Nathaniel Branden. Aside from his innovative psychological techniques and his powerful theories concerning the nature and dysfunctions of human psychology, he has been an active supporter of the fight for liberty in this country during the last 25 years. Some of our readers may not know this because Dr. Branden has lately confined the bulk of his work to psychotherapy proper, with only occasional appearances at political gatherings and scholarly conferences. For those who are not aware of it, he was once an associate of Ayn Rand, was founder of the Nathaniel Branden Institute and cofounder of* The Objectivist, *and authored* The Psychology of Self-Esteem, Breaking Free, *and* The Disowned Self.

We think some of the techniques Dr. Branden employs in his present practice will interest our readers, especially in the light of the plethora of psychologically oriented therapy and educational movements that vie for our participation. We have known Dr. Branden and have found his work worthy of our attention in the past (see REASON *interviews, October 1971 and May 1973). A report about what his therapeutic work involves would, we believe, help our readers consider more intelligently whether they might benefit from his or other individuals' and organizations' self-improvement techniques.*

Imagine, for a moment, that you are not as happy as you could be. And suppose that even after taking account of the metaphysical problems of existence, the evils of society, the irrationalities of other people, the errors made by your parents, and the frustrations created by your friends—not to mention your enemies—suppose that even taking all these into account, you suspect that you could be a lot happier than you are. Most of us have surmised that life has more to offer than we've got. We may want to be more creative or successful in our work; perhaps our romantic relationships or our family relationships or our friendships are not all we want them to be. We may want to feel less tension, less loneliness, less guilt, less boredom, or less fear. We may feel that our capacities and our time could be used more fully, more richly—if only we knew how.

One way to explore the yet undiscovered possibilities of life is to take an unusual vacation: into ourselves. Personal-growth experiences are the latest luxury of our culture—a luxury possible only in a civilization so advanced that it values individual fulfillment—and more and more people, including me, are taking advantage of the many new possibilities offered for psychological self-exploration and self-development. While this feels deliciously like self-indulgence, it represents a recognition that the liberation and expansion of one's own potentials requires the same devotion of time, thought, and energy to ourselves that we give to the pursuit of external values. In my most recent indulgence-investment, I took three and a half days and an expert guide on what the literature described as "a voyage into inner space": Nathaniel Branden's 40-hour personal-growth intensive called "Self-Esteem and the Art of Being."

The promises in the brochure were intriguingly extravagant. They held out even more than enhanced self-awareness or greater self-assertion; they offered a far more fundamental kind of growth: "The Intensive is designed to raise the level of the participant's self-esteem ...to achieve a breakthrough...in the individual sense of the possibilities of life." How that could be accomplished in 40 hours, I wanted to see.

Intriguing as this was, however, one does not commit oneself—at least this one does not—to 40 hours of intense self-exploration without some degree of anxiety. Who knows what one may find?

The first night of the intensive I sat with 180 other people who were obviously wondering the same thing. The room was full of excitement—Dr. Branden was radiantly happy, and his exuberance overflowed. But we also felt curiosity and tension and fear. We were a remarkably varied group: ages ranged from late teenage to late sixties; there were people from all professions; and their experience with psychological growth processes ranged widely—some had no previous experience with psychology, some had considerable time in psycho-

therapy, and some were psychologists themselves. How, I wondered, could all of these people take the same trip and arrive where they wanted to go?

That was one of the questions to which Branden addressed himself the first evening. It was arranged as a lecture, which made me feel impatient that we were not beginning to work immediately—but also relieved that we didn't have to start yet. He prepared us, gently, almost imperceptibly, launching us on our journey. As he discussed the goals and ground rules of the intensive, he created through his own attitudes and behavior an atmosphere of a very special kind: an atmosphere of benevolence, enthusiasm, and wonder. He projects these, and they're catching; it wasn't 30 minutes before people were smiling at each other as if sharing the beginning of an adventure.

An important part of what we felt was that we were being treated with great respect. When, for instance, he explained the reasons for what otherwise might seem arbitrary rules, he shared his own distaste for rules in a way that made any tendency to rebel seem not only appropriate but admirable—and thus disarmed us of the need for rebellion. He identified the difficulty that he could not tell us exactly what would happen in the processes we would be asked to engage in—after all, in the nature of an adventure into inner space is that each adventure is private, uniquely one's own.

How do you persuade people to trust enough to do something the end of which is not in sight?

How do you persuade people to trust enough to do something the end of which is not in sight? By asking openly, and by stressing an idea that was to be the controlling theme of the next three days: we were not being asked to achieve anything in particular; *we were not being asked to change*; all we were being asked to do was to participate in the processes and to *watch what happened, to observe, to notice, to be open to whatever there was to see.* The purpose of an adventure is to have it and to see how it feels.

SELF-REVELATION

Though I cannot tell you, of course, exactly how it would feel to you, I can describe what we did during those 40 hours and some of the things we felt.

The intensive consists of specific activities or exercises designed to lead to increased self-awareness, self-acceptance, self-responsibility, and self-assertion. The particulars of the processes vary from one intensive to the next but consist of a variety of kinds of personal-growth work. Some of it is exclusively individual: guided fantasies to increase awareness of assumptions and feelings that may not be fully conscious; physical exercises to increase awareness of the relationships between our psychological and bodily states; exercises exploring new ways to use our senses in contacting the world.

Some activities were two-person processes, in which we moved from one person to the next, looking at each person and often repeating a sentence Branden had given us. (One first night sentence, for instance, was "I am [your name], and I am enough"—a small, seemingly simple sentence, but one few of us had ever thought of saying and many of us found difficult to say. Saying such a sentence to another person and noticing how we felt saying it—sometimes unreal, sometimes sad, sometimes anxious, sometimes embarrassed, sometimes happy, sometimes serene—gave us vivid experiences of what we felt about our own persons.)

Other exercises were done in small groups of four or five people; most of these were sentence-completion processes, in which Branden begins a sentence and participants finish it for themselves with whatever comes to mind. (In an exploration of the ways we determine our relationships with other people, for example, one sentence began, "One way I make it difficult for others to get close to me is...," and each of us finished the sentence with several different endings.) Each group of sentence completions is designed to explore some specific psychological territory or issue; they are carefully sequenced and are varied enough so that if one sentence does not elicit some meaningful awareness, another will. The result is characteristically that each person experiences a series of small (sometimes large) revelations about himself. Finally, we often came together as a large group for questions, for sharing our experiences, and for some lecturing on the intensive's themes.

CROWDS AND LECTURES

I had been especially skeptical of two aspects of the intensive. One was the size of the group: I did not know if my individual needs could be met in activities designed to accommodate so many people. In fact, it turned out to be an intensely individual experience. Most processes were individual or small-group exercises. Further, our focus was constantly directed toward our inner experience and our own awareness. Crucial, however, is that in almost every case, the particular issues dealt with touched issues fundamental in all of our lives—our feelings about ourselves, our relationships with other people, our experiences of childhood, our desires and frustrations about our work. Not everyone benefitted equally from every process; but each of us was making discoveries and integrating them along the way. The size of the group, rather than interfering, turned out to be a tremendous advantage. For each of us had an opportunity to meet and interact with a remarkable variety of people in a context of openness and benevolence. For many of us, this was our first seeing of other people simply as other human beings. An important experience was the admiration we came to have for the courage of others to be honest, the affection we came to share, and our delight at seeing how *interesting* people can be when they let themselves be seen.

My second concern had been that the intensives include lecturing. No little part of my life has been spent listening to lectures, including Nathaniel Branden lectures, and I did not want this to be a strictly intellectual experience. To my relief, the "lectures" of the intensive were very rarely only theoretical; they were concrete, useful discussions of the issues we were exploring, discussions based on his and his clients' experiences. Furthermore, the opportunity the lectures provided for cognitive integration of our new learnings was extremely valuable. Much personal-growth work today, having come out of the humanistic psychology movement, tends to be anti-intellectual; the lack of attention to cognitive integration leaves the experiences diffuse and therefore less solid and lasting than they otherwise might be. A great advantage to Dr. Branden's approach to personal growth is that he addresses himself to the whole person, so that our body work, our emotional work, and our cognitive learning were consistently being integrated.

The activities of the intensive varied during the day; each process was oriented toward the overall themes, and each built on previous experiences. The interweaving and repetition of themes felt less like an ordered sequence of steps than like a musical arrangement of repeating and varying motifs. In retrospect, however, it is clear that for most of us, each day represented a new level of growth that I can describe only as a deepened sense of ourselves, of our own solidity and fullness and autonomy.

During the first two days we were learning to take ourselves seriously, to pay attention to ourselves, to identify and acknowledge our feelings, and to be aware of the barriers we create to our

own fulfillment—learning, as Branden said, to see the obvious. We explored the ways we hide from ourselves and others the truth of our perceptions and experience—and learned the clarity and freedom that we feel when we begin to acknowledge and assert the truth.

UNCOVERING THE PAST

The third day was the most intense, partly because we were more open to experiencing now and mainly because the activities of that day involved reexperiencing and completing "unfinished business" from our past. We were learning that growth requires accepting all of the feelings and attitudes within us, including those of the child we used to be.

Most people carry within them a great deal of buried childhood pain, and understanding the child within means confronting and experiencing that pain. Through an unusual and deeply moving fantasy, we met that child and began to learn how life looked and felt to us long ago, when we formed many of our adult attitudes and behaviors. The focus of this work, however, was not simply on becoming aware of our childhood feelings but on taking responsibility for our own growth and redevelopment. We began to learn to be the parent to ourselves that we needed and need—to foster our own growth by treating ourselves with gentleness and respect and love.

Much of our work with our past involved our relationships with our parents and other important people in our lives, and this too evoked great emotional intensity. For many of us, this work led to profound understandings not only of "why we are as we are" but also of ways we can be different. The emotional drama of these experiences was initially frightening for some people, but the focus on "accepting whatever is" allowed many of us to experience a much wider capacity for intense emotion, without fear, than we had known we possessed.

Beyond the drama lay other important lessons for us: we were guided into processes through which we discovered how much of our lives since childhood had been self-directed, how our successes and our failures, our achievements and our inhibitions, were our own responsibility. Knowing that in the abstract is very different from having an opportunity to see concretely how we managed our own victories and our own defeats. There is a marvelous sense of liberation, a tremendous sense of power over one's destiny, in the recognition that one is not a helpless victim but an active creator of one's fate.

SELF-AFFIRMATION

These days were so full of activities that there were times when I felt rushed and overwhelmed by fragments of new awareness—bits and pieces of new understanding that every once in a while would suddenly arrange themselves in some meaningful pattern. But they came too fast to sort out or even hold onto. I felt considerable frustration at times at the difficulty of self-discovery, and then frustration at not having time to think discoveries through. In the course of a few hours I would feel pain, sadness, depression, boredom, amusement, fascination, pride, and delight. There was also a good deal surging around somewhere out of reach of my awareness.

By nine o'clock at night, when we finished for the day, I was exhausted. I also generally felt agitated; others felt elated; some, meditative. Not a few of us spent at least one night awake. Yet we were learning a new kind of self-acceptance, so that whatever we were feeling, beyond the agitation was a special kind of peace; and each morning I found myself full of energy and eager for more.

It must be stressed, especially for those familiar with "sensitivity" groups or EST or other relatively brutal forms of psychological work, that activities during "Self-Esteem and the Art of Being" are consistently conducted in an atmosphere of gentleness, rationality, and respect. The world of the intensive is supportive and safe. Though most of us experienced some painful self-confrontations, we experienced them as moments that could be felt, acknowledged, and worked through. There was absolutely no suggestion of pressure, no hint of condemnation —and no oversolicitous response, either. Feedback from others was received only when solicited, and great respect was shown for individual differences in mood and response. We learned that even pain and sadness and anger and fear, once faced, can be let go. But the focus of the work was never on feeling these emotions; the overwhelming mood was one of affirmation. Many processes were designed explicitly to give us experiences of our own inner strength, our own energy, our own fundamental impulses for life and growth.

It was not until the last day that we began to have a firm sense of what had been happening to us. The day was spent consolidating our new knowledge. What we had been learning to do was to see ourselves and our lives and our worlds in a new way, and not only to see them differently but to feel about them differently and to treat them differently. Simply by seeing, acknowledging, accepting, and asserting the obvious, we were learning how to *change our state of consciousness.*

Everyone knows what it feels like to "be in a really good place;" we know how clear the world looks, how well we act for ourselves, how much we like ourselves, how manageable our problems seem, when we feel fundamentally right with the world. What this intensive had been teaching us was how to get to that place, how to feel that sense of fundamental well-being, more and more of the time. What it requires, we had been learning, is a willingness and an effort to be in the cleanest contact with reality we can achieve in any particular moment. The intensive had given all of us new tools for that in some ways so complicated, in some ways so simple, task. And it had given us, many times over the four days, the experience of being there. Changing fundamentally meant changing the quality of our awareness in such a way that other changes would inevitably follow.

Our last day was spent experiencing our new recognitions and learning how to carry and keep these new learnings into the lives to which we were all returning. Most of us were ready to go, full of the sense that what we now knew would have many implications for us in the days ahead, and curious to discover what these would be. The people in the room on Sunday evening were very different from the people who had begun there the previous Thursday. They looked tired, for one thing. Most also looked open, relaxed, and simply happy. Many exhibited a quiet dignity and a serenity unusual to see in so many people in one place.

More encouragement of participants to speak out when they are dissatisfied would clear the air sooner.

LIMITATIONS AND SUCCESSES

Though there must be some people who have attended these intensives and been unhappy with them, I have found none. This is not to say that "Self-Esteem and the Art of Being" is without problems. For some people very experienced with psychological processes, much of the weekend lagged—especially during large group sessions in which individuals talked personally about their experiences, which were not always relevant to one's own. Too, I felt considerable frustration that there was not more time to pursue and develop some discoveries that came up for me. Of course the intensive is not psychotherapy, and the kind of concentrated personal working through that goes on in therapy was not

appropriate here. Branden said from the first that his intention was to plant a lot of material that would sprout during the next few months. Despite his claim that nothing really important would be lost, however, I felt a need for much more consolidation.

People who have had virtually no experience with Branden or with psychological work have expressed their desire to be better prepared for specific exercises, especially emotionally intense ones. More discussion of the ways participants can profitably interact with one another and more encouragement of participants to speak out when they are dissatisfied would clear the air sooner; problems that do arise are quickly enough taken care of, but many could be obviated in advance.

Finally, some people are inevitably frustrated by the fact that the intensive provides relatively little opportunity for personal work with Branden; almost any person who asks is given personal attention, but the size of the group makes it impossible to give every person all the attention he wants. Still, this is hardly a criticism of the intensive, which is not claimed to provide extensive personal therapy; and insofar as his personal contact with participants is concerned, he is almost always warmly responsive.

There is a great fear with all positive change that it won't last, and a crucial question is whether the experience of the intensive leads to any sort of lasting growth. I have followed the experiences of several people over eight months and several others, including me, over seven, and all have reported that they are still on their journey. Each person has reported to me feeling in general much better about himself, better about other people, happier, more relaxed and confident about making whatever changes he wants to make. Immediate changes are sometimes small, sometimes large. Many people report behavioral changes like eating less, being more creative, asking for that raise they've deserved for two years, telling Mom the truth—doing things with ease that had seemed impossible several weeks before. Others reported doing difficult things that they still found difficult—but did anyway. Several people told me that during and after the intensive they made friends for the first time in their lives. Others reported making important changes in their careers. For others, the most significant changes came in their relationships with their families. Many friends, lovers, and family members took the intensive together; many of them told me that their relationships had significantly deepened or become more honest. Sometimes the recognitions people faced were painful, sometimes changes difficult, but I have met no one unhappy that the intensive led him to that point.

COMMITMENT TO LIFE

It is almost impossible to go through this and not emerge with a heightened sense of self-esteem. Simply working through the processes gave me a more solid sense of myself. It's not magic, of course, and the people who get the most are the people who are willing to give most to the experience. Some people who returned to a second intensive—many come back for more—returned saying they felt they had "let a lot of things slide." But they were back.

Why does it work? It is not simply the intensive nature of the experience nor even the specific processes, but the particular focus and integration distinctive to Nathaniel Branden's work: his ability to create a world in which people feel it's right to be at their best; his focus on the fundamentals of our experience as human beings—our sense of ourselves and our desire to get the most out of life; his integration of our physical, emotional, and intellectual selves—his knowledge that we grow by experiencing but that we need understanding of our experience in order for it to be clear and to last; and the example he provides by the intensity of his own commitment to life.

I have heard him say that psychotherapy even at its best is an impractical profession—that people can develop problems much faster than there are therapists to deal with them and that what we need is a culture in which people learn healthy ways of being psychologically. Thus he has allied himself with the humanistic psychology movement, a movement that views therapy less as a cure for the sick than as a way to foster continuing personal growth. This notion has always been very important to me, because I used to feel that even if I could "work out all of my problems," which seemed hopelessly unlikely, even then I would just be back to zero. I came out of the intensive with a deeper experience of the fact that what "solving problems" is all about is growing and that growing is a continuing achievement.

While everyone's experience at the intensive is unique, one person told me a story that seemed to capture what it was like for many of us. When I asked her if she had gotten anything out of it, she said: "Suppose you'd known for a long time that you were a weed. When you were just a little sprout, before anyone had told you you were a weed, you'd known something of what flowers feel like; and as you grew, you felt you'd like it better if you were a flower. But you learned to be satisfied living as a weed nonetheless—most of the time. You learned to bend a little so as not to take up too much sun, and to eat and drink and breathe not quite so much so as not to take up too much nourishment from the flowers around you. It's only in spring, when the flowers start to bloom, that it's hard to be weedlike; then, when the warm breeze comes, you feel a stirring, a hope, a wish for just a taste of blooming. But you can't, of course; you're a weed.

"Now suppose that one day a lovely creature walks into your field looking for flowers. And suppose she walks straight up to you and says: 'What a strange and lovely flower this is hidden from the light!' For a moment you would not believe her. But oh, you would want to. So you might begin softly to look and feel around yourself. And what if you discovered that this had all been a silly mistake—that you were not a weed, but a flower after all.

"Well," she said, "that's what it feels like. A little sad that I spent so much time as a weed when I didn't have to. A little in shock. A little exposed. Excited, in a quiet way, to discover what I'm all about. I don't know much about being a flower, yet. But it's me, and I love it, and I'm giving it all I've got."

The focus of Nathaniel Branden's psychological work has always been on liberating the capacities of people for achievement and enjoyment of their existence. "Self-Esteem and the Art of Being" is above all an experience of such liberation.

With a Ph.D. in English and American literature, Ms. Adrian has taught at various colleges and has recently been studying, writing, and editing in the field of psychology. She has now resigned her teaching positions to devote full time to those activities and to conducting writing workshops in Los Angeles. Under the name Cheri Kent, she has contributed to REASON *and to several collections of essays.*

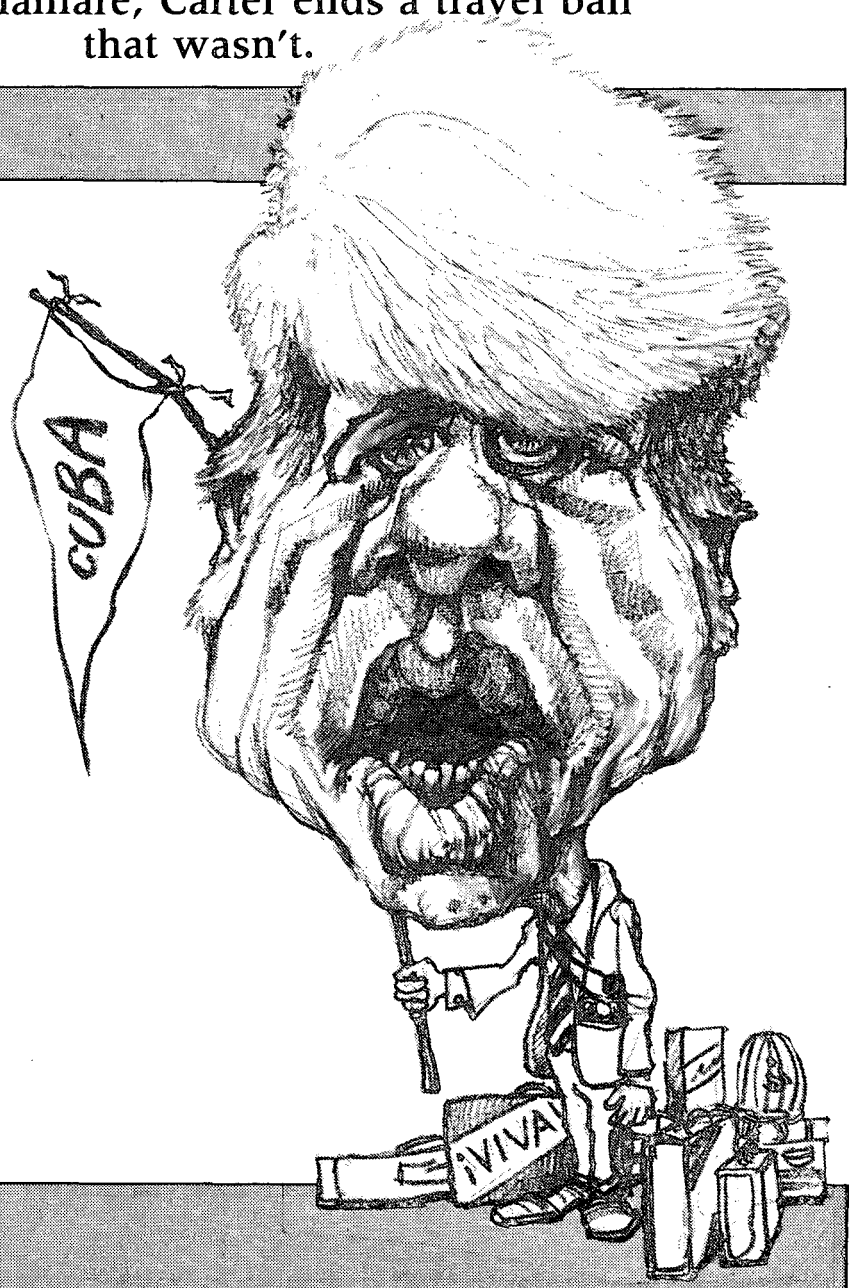
WHY DIDN'T ANYONE TELL JIMMY?

With much fanfare, Carter ends a travel ban that wasn't.

BY PHILLIP ABBOTT LUCE

Ultimate history we cannot have in this generation; but we can dispose of conventional history, and show the point we have reached on the road from one to the other, now that all information is within reach, and every problem has become capable of solution.

—The Cambridge Modern History, *1907.*



Jimmy Carter and his merry band of flacks at the State Department seemed ebullient with their sudden revelation in February 1977 that there was no travel ban to Communist Cuba. This initially struck me as strange, because just over 10 years before, the Supreme Court had affirmed a Federal District Court judgment stating the same thing. Being neither a judge, a government bureaucrat, nor a contemporary liberal, I finally deduced that either a conspiracy, a time lag, or an in-power presidential public-relations campaign exists regarding travel to Cuba. I have opted for the latter consideration.

It happens that the Supreme Court ruling is based in most part upon my decision to travel to Castroland in 1963. In that year I happened upon a group of Maoists posing as the Progressive Labor Party (PLP). Because I was working for the Emergency Civil Liberties Committee at the time, I enlisted to be press coordinator for the group of 58 persons that

traveled to Cuba that summer.

Our going, I later discovered, was a ploy by Fidel to embarrass the State Department representative who was then meeting with the Organization of American States and calling on all involved to restrict their nationals from traveling to Cuba. My own reason for going was that then, as now, I do not believe that the purpose of government is to restrict the travel of individuals who are perhaps foolish enough to forgo the State Department's sometimes-offered help when traveling abroad.

Cavalier as it may seem to others, I just don't believe it is the obligation of government to keep me out of trouble. So I traveled to Cuba with the vaguest hope that the Department of Justice might indict me for my action. I had done my homework on passport law but didn't know that the Communists were responsible for the trip or that Castro was using it for obvious propaganda purposes. Such are the lessons of youth.

Be this as it may, I was indeed indicted along with three then-members of the Maoist PLP. At the time of our trial I succeeded in having my case severed from theirs because in the intervening two-year period I had joined and then—because we were storing arms and were partially responsible for the Harlem riots in 1964—quit the PLP.

I considered myself a part of the initial judgment, as did the federal judge in his findings. The original indictment reads: *The United States of America v. Lee Levi Laub, Phillip Abbott Luce,* etc. For economy, the legal system hereafter limits its printing to: *United States v. Laub et al.*

I traveled to Cuba with the vaguest hope that the Department of Justice might indict me for my action.

On April 15, 1966, Judge Zavatt of the District Court of the Eastern District of New York ruled that we held valid passports while traveling to Communist Cuba and had committed no crime. The government appealed the case to the Supreme Court.

Justice Fortas, on January 10, 1967, delivered the opinion of the court, stating in part that, "Crimes are not to be created by inference.... In view of our decision that appellees were charged with conspiracy to violate a nonexistent criminal prohibition, we need not consider other issues which this case presents. Accordingly, the judgment of the District Court is *Affirmed.*"

Upon my return from Cuba in 1963 my passport was stamped "cancelled." After the Supreme Court decision I gained a new passport. Now I can travel wherever I choose, but it strikes me as strange that it took the persons within Foggy Bottom in Washington, D.C., this long to travel Constitution Avenue to the Supreme Court.

As I continue upon my Ph.D. quest in political "science," I have come to understand the attempts at checks and balances and have even reached the point wherein I can predict the date of the next presidential election. I doubt, however, that I shall ever perceive the logic of announcing a free travel policy when one has existed for 10 years prior to the good old boys and Jody Powell taking power. ◻

Mr. Luce is national chairman of the Truth about Cuba Committee.

JENKINS

[*Continued from p. 25.*]

would mean *less* plunder and *less* violation of people's rights, I consider that a wholesome compromise. If, on the other hand, to get the given tax abolished I agree to support some other measure that would violate people's rights in some way, then that would be immoral, and the one good would not justify the evil that was done.

REASON: Could you give us some examples of how you have managed as a legislator to advance the protection of people's rights?

JENKINS: O.K. For example, when I first came to the legislature, it was every year passing licensure laws for 10 to 15 occupations or professions. This was every year. This means that the government was extending itself into each of these fields of endeavor for the first time, and it represented a return to the medieval guild system where freedom of entry into an occupation is severely restricted. I began making a very consistent stand against new licensure laws and initiated attempts to repeal some of the existing ones, to the point that in the last two years our legislature has not passed a single new licensure law.

REASON: How did you do it?

JENKINS: At first when I started objecting to the proposed licensure laws, mine was maybe the only vote against it. It would pass 98 to 1 or 88 to 2. Then we got 3 or 4 in the legislature who would vote against it, and then it was 10 or 15, and then it was 20; then it was 30, and pretty soon we were defeating them. I think the real turning point was when I started using humor to show the ultimate, logical results of some of these measures. There was one that was introduced to license shampoo girls. Well, after all, beauticians are licensed and barbers are licensed. You have to go to school a certain length of time, pass certain tests, pay certain fees, meet certain regulatory standards, agree to conform to all these different rules, or you can't be a barber or beautician. Well, some of the regulators got to thinking that what we need to do is license shampoo girls and, in the same bill, to license wig fitters. These are people who put wigs on your head and see how they look, and it was argued that they should be licensed because head lice are taking over the state!

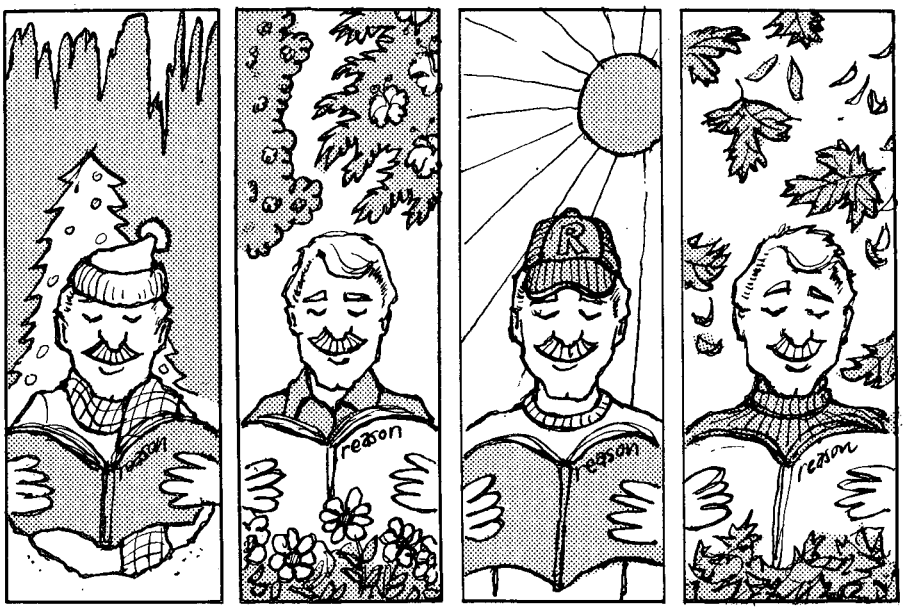
So, what some of us in the House decided to do was to offer an amendment to the bill to license still another occupant of the barbershops—the shoeshine boys. So we said that all the shoeshine boys should have to have 20-20 vision to prevent the regular occurrence nowadays of these people getting black shoe polish on white socks. And, let's face it. In the shoeshine business there are a lot of fly-by-night operators. They come in from out-of-state. There are no standards or requirements. We have ex-felons who shine shoes. So, in our amendment we said that ex-felons couldn't be shoeshine boys. In fact, we didn't say "shoeshine boys" because we realized that was sexist, so instead our amendment was to license shoeshinerists. And we said that all shoeshinerists had to be at least 18 years old. Because you realize what's happening right now. Some 35-year-old man is trying to make a living, and here's some 12-year-old kid coming in with cheap child labor, sweatshop conditions, and depriving this 35-year-old man of his livelihood. So, certainly with an amendment like that we should have had the Louisiana AFL-CIO behind us. Well, perhaps we did. We had a lot of support, because we passed the amendment. And the result, then, was that the bill was killed.

REASON: Why? Didn't they just love the prospect of more licensing?

JENKINS: Well, they laughed it up, and in their laughter they passed the amendment. But then they thought it only appropriate to kill the bill and save the author any further embarrassment. We used the same tactic to defeat a bill that had passed the Senate to license water-well drillers. Again, we looked at this bill and thought the principle should

[*Continued on p. 35.*]

REASON SEASON



In these times, lasting gifts say something about values. Reason spreads a spirit of liberty all year round. What can be better shared with someone you care for?

SPECIAL HOLIDAY RATES

First gift: one year $13 ($2 savings off regular rate); second gift: $10 ($5 savings); additional gifts only $9 per year.

REASON HOLIDAY GIFT
Box 40105
Santa Barbara, CA 93103

I want to spread REASON this holiday season. I enclose $ _____ in full payment for gift subscriptions to the following people (please print names and addresses on a separate sheet).

Name _____

Address _____

City/State/Zip _____

(Add $2 for each gift to be sent outside of the United States).

Wrong Answers? No. Wrong Questions.

Certain "profound" questions lead to nothing but grief

by Paul L. Gross

A young lady I know once told me of her pet horror: a faceless beast confronts her every day of her life, asking questions she *must* answer but cannot.

The beast is herself. A beast, because she cannot identify herself with her own ideal of humanity. Faceless, because she cannot make out her own true character. Worst of all, the questions: Who *is* she? What does she want of life? What career does she want?

She virtually worships the philosophy of Ayn Rand and consequently regards life without direction and purpose as utter immorality. She finds those qualities lacking in herself and passes that verdict of evil on her life. And it does her no good for me, or anyone, to tell her she has more honesty, integrity, and sheer guts—character, in short—than your random dozen anybodies put together. It does no good because it is her honesty, integrity, and courage that are *putting* her through hell. A person of lesser virtues could refuse to consider such questions or be content with facile answers, but my lady is not so easy on herself. Thus is she rewarded for her virtues —with agony. As are we all, to the extent that we face the same questions and cannot answer them.

Perhaps it isn't fair. Unfortunately, the world is not much concerned with our notions of fairness; it just *is*. Virtue is not impermeable to mistakes, and when we mistake the way the world is, it has a way of squashing us flat. As in the case in point, some mistakes can even cause our own integrity to behave like a scorpion in fire, stinging itself to death.

A TIME-HONORED QUEST

Where do so many good and honest people go so wrong? Consider, if you will, the questions:

Who am I? (What is my "character"?)
What do I want of life?
What do I want to do *with* my life?

They have this common denominator: each presupposes that its answer does exist, in each of us. When we find it necessary to ask such questions (when we don't consciously have the answers), we generally suppose that the answers are merely *hidden* from our awareness, perhaps tucked away in a cozy corner of the subconscious; but we do not doubt their *existence*. We assume that we can solve all the mysteries of our identity and "true" desires if we are sufficiently diligent in our introspection—or, at worst, we assume they could be discovered through some kind of therapy.

There is an old mystic notion that every person is born possessed of all knowledge but forgets in the trauma of birth and must be reminded of much, if not all, that he "knows." It's a kind of Conservation of Mental Energy theory, positing that no ideas are ever created or lost. A preposterous notion, obviously. Yet how many of us have managed to avoid the same epistemological blunder in the time-honored quests for Identity, Meaning, and Purpose? Isn't our greatest source of dissatisfaction with ourselves our inability to discover our "identity"—by which we mean the mode of being uniquely suited to each of us, including specific goals, desires, and values of character—everything we are, have been, could be, or wish to be? Don't most of us desperately want—and seem always to lack—a sense of true direction, an unequivocal knowledge of where we want to go with our lives? We introspect like demented anatomy students cutting ourselves to pieces, but rarely do we turn up a true heart's desire.

I suggest that our problem is not our lack of answers but a deterministic fallacy inherent in the questions themselves.

GETTING TO KNOW YOU

Who am I? The answer to this question would be easier if all our character, values, and goals were built into us at our conception or came to us automatically as we grew up. Unfortunately, while man is a creature of myriad and wonderous potentials, the actual self he starts out with has about as much character, sense of values, or purpose as a mud puddle. And the process we call "growing up" most commonly resembles the more or less efficient action of a sewage-treatment plant, considering the offal shoveled at us in school, in church, and over the boob tube. Small wonder so few people ever get far from the mud-puddle stage of character development. The wonder is that any do.

Do you still wonder who you are? Well then, *look* at yourself. You *are* whatever you know yourself to be, right now. You are whatever you've made yourself to date, with whatever help you've accepted along the way. You are not an unfinished part of the "real you"—but a complete and sovereign entity. You do have the ability, if you choose to exercise it, to make changes in your self and in your hunk of the world. You also have the ability to select goals and values for yourself. Don't expect values and goals to appear automatically when you intro-

spect; they have to be selected and assimilated first—they are not a free lunch.

What do I want to do with my life? Recall our nascent self, the mud puddle? The myriad things our mud puddle is not born with include: burning desires for (1) a particular career and (2) the achievement of a particular purpose in life. A rational man seeks his own well-being and happiness, but the particular objectives that he identifies with "happiness" are endlessly various.

You are not an unfinished part of the "real you"—but a complete and sovereign entity.

So where along the track of life does one pick up these great desires?

One lucks onto them: the blind chance of upbringing, environment, and inherited potential, plus the mental baggage of ideas and prejudices one acquires along the way, *may* incline one to feel a passion for some particular work or cause. Usually it doesn't. And small wonder: before one can desire to pursue a career or cause, one must first have the basic conviction that one is *free to act* to achieve one's goals. Take a look at the corporate/unionized/bureaucratic monster in whose shadow we live. Yeah, the one sitting on both your legs and one arm. Inspires you with a great sense of freedom of action, huh?

And what if one lucks out? What if one *doesn't* find a sense of vocation or a mission in life? That's two great pleasures one may never experience. And that leaves only a couple hundred other sources of pleasure in life. No doubt one's life will be totally miserable.

A RATIONAL HEDONISM?

The writings of Ayn Rand abound in brilliant philosophical theses. Which is unfortunate, in a way, because unwary readers who trust in her brilliance usually assimilate, also, her mistakes. For instance: "Productive work is the central *purpose* of a rational man's life, the central value that integrates and determines the hierarchy of all his other values" (from *The Objectivist Ethics*). The mind boggles—literally—with the confusion and hearthache that proposition can cause.

Productive work is necessary to a rational person's physical and mental well-being and is consequently a central value in life. Granted. But rationality is an equally indispensable value and has at least an equal claim to being the central value that integrates and determines one's hierarchy of values. *Neither* rationality nor productiveness, however, is a central *purpose* of life. Ms. Rand has here confused the servant with the master. One is productive and rational for the purpose of sustaining one's life. Life is *their* purpose, not the other way around. One *lives* for the purpose of one's *happiness.*

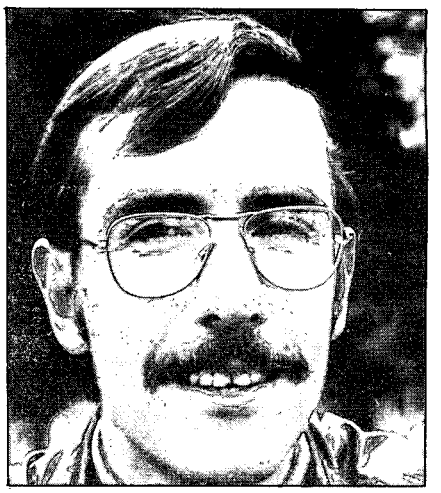
In fact, Ms. Rand herself says as much, a mere two pages further into the same essay: "*The achievement of his own happiness is man's highest moral purpose* (italics, well-placed, in original).

I submit that if one is not fortunate enough to find a career or cause for which one feels passion and devotion, the rational and moral thing for one to do is as *little* productive work as one need do in order to finance one's other sources of happiness.

As regards vocation, all that rational people actually *need* is simply a job that gives one a sense of having earned one's own life, the knowledge that one is self-sustaining. If parasitism necessarily breeds guilt in people, minimal self-sustenance through low production does *not.* If one chooses to earn one's livelihood by trucking garbage or digging ditches—or working as a switchman for Taggart Transcontinental, perhaps!—one fully satisfies the basic requisite of self-esteem and frees oneself to eat, drink, and be merry, with clear conscience and maximum enjoyment. Rational people *do,* after all, have other desires and pleasures besides hiking up their productivity.

Make sure your pleasures are consonant with your physical and mental well-being, by all means—don't abandon rationality. We need reason in seeking pleasure fully as much as we need it in work: in this area of human action as in any other, there are important decisions to weigh, costs to count. Most of all, it is our reason that *gives* us our appreciation of many of our greatest pleasures. Consider how much reason allows us to experience by this negative: *sans* reason, we are merely naked apes and can know no other pleasures than those known by our furry brethren. Our reason gives us *all* the rest.

So if you get satisfaction from working to improve the social or political conditions you live under—great! And if your career is fun and rewarding for you—wonderful. But if *not,* do a bit less of it and more of something you do like. Love, laugh, read, travel, play games, screw yourself silly, see movies and plays—do as you please, literally. Because the important thing, the one principle that comes closest to being a "moral imperative," is to enjoy your life. Go to it. ◻



Mr. Gross lives in Los Angeles, painting houses, reading novels, and dabbling at writing some of his own. He is the author of "The Ethics of Polygamy," in REASON, *July 1973.*

JENKINS

[*Continued from p. 32.*]

be extended further, especially with regard to a related occupation where there are so many fly-by-night operators, and that is water diviners. These are the people who go out with divining rods, you know, and look for water. So we offered an amendment to license water diviners, set up standards; and also we wanted to set some standards on the divining rods, because right now anybody can just pull any old twig off a tree and go around divining water. There's no protection for the public at all. So we said that the appropriate state board would set the standards for divining rods—the size, weight, cost, and so forth.

The amendment passed, and of course that killed the bill. That was the last licensure bill I can recall that was seriously considered by the House, and that was in 1974, I think. There's one coming up, though, to license athletic trainers, so we'll be offering some amendments. We want to include the waterboys and the cheerleaders. I mean, you can't just have *anybody* hauling water out on the field or leading cheers. You've got to have some regulations!

REASON: You've been saying, "We did this" and "We did that," and maybe you should clarify a little who the "we" is.

JENKINS: There are three legislators in the Louisiana House who I consider consistently libertarian: myself, and two others who took office last year. Then there's a group of 14 of us in the House who are conservative-libertarians to one degree or another, and we work together always to protect individual rights or

reduce the size or power of government.

REASON: Did you start this?

JENKINS: Yes, I got it off the ground two years ago. We started with about six.

REASON: You saw who was voting in a more or less consistent pattern?

JENKINS: Right. And we meet every day now and discuss legislation. We've pooled our staffs, and they keep track of the status of our bills and advise us of upcoming votes and so on.

REASON: Is there any comparable grouping of people in the legislature?

JENKINS: No. We're the best-organized, best-prepared, most consistent group of legislators, and we're able to propose things like the budget-cutting being raised in the current session.

REASON: You recently introduced a bill, as opposed to trying to defeat one, that had something to do with advocating free trade. You introduced it as a boost to local businesses, yet most people mean by that subsidizing them, doing special favors for them, and so on. How did you manage to overcome that temptation to subsidize?

JENKINS: Well, in Louisiana and in most states, the people in rural areas want to have more government. They can sign a petition, have an election, and form in their area a municipality which will tax them and regulate them and do all sorts of things to them. But we have no comparable measure for people who want to take regulations and taxes off themselves, and this bill is an attempt to provide that. What it proposes is that in any given geographic area, the people could sign a petition and have an election to remove from their area certain taxes and regulations. Specifically, if adopted in their area by public referendum, it would reduce state corporate income taxes, state sales taxes, and state occupational license taxes by one-third. It would exempt businesses in that area from certain regulatory laws, particularly a number of licensure laws, like for TV repairmen, plumbers, electricians. The idea is that this will be a substitute for urban renewal and similar schemes, because it would free dying downtown areas from governmental restrictions and thus encourage investment.

REASON: You are of the view that government has got to get smaller and smaller. Do you hold that on principle it must "wither away" in order for people's rights to be fully protected—as the anarchists hold?

JENKINS: I think we could devise a government—we could devise it in form, at least—which would not violate people's rights and would have strict limitations on its powers. That would work relatively well so long as a majority or a substantial portion of the individual people in the government respected the principles upon which it was established. But the problem is that it's very difficult to devise a scheme that will provide all of the checks to prevent violation of those restraints. For example, we may have a constitution that limits the authority of the state legislature to regulate our lives, but that constitution will still rely on a judiciary to apply it. If the judiciary will not, or if the executive department won't enforce the judiciary's orders, then the limitations may be ineffective.

REASON: So even your good constitution in Louisiana will only be good so long as there are enough decent people, people who are commited to it, in government?

JENKINS: Sure. But I do strongly believe that the structure is a good safeguard. And, to return to the anarchy question, I think we *can* create a government which resembles to some degree its present structure which would not necessarily violate people's rights. That would be wholesome. On the other hand, that has never yet been done. With all of the thousands of governments which have been created, no government has consistently protected individuals' rights. But we have to ask whether people can live together successfully without government. People have lived without it, but that has not worked perfectly either, because people have violated others' rights. I think that the key is that, whether we have a government or not, it is essential that we establish a structure that works in such a way that it does protect individual rights. I think that's possible with a government; it's possible without a government.

REASON: But the anarchy question is not only about what's possible but about which is the better avenue for human beings to protect their best interests, including their natural rights.

JENKINS: We don't have enough experience with limited governments that strive to protect individual rights, on the one hand, or with the absence of government, on the other. I don't think we have adequate experience to determine which one is best, and I'd like to have some experience with either one! I'll settle for either one at this point.

REASON: That's fair. Let's turn to something else. You are involved with a thing called the Citizens Cabinet—a shadow cabinet. Can you explain what it is, your role in it, and why you think it's of some worth to work with?

JENKINS: In Great Britain, the party out of power forms a shadow government with a shadow foreign minister and prime minister and so forth. But this has not been effectively done before in this country. The Citizens Cabinet is an attempt to import certain features of the British shadow cabinet. The difference primarily is that it's formed around an ideology rather than around a party. The Citizens Cabinet is a project of the Conservative Caucus and, like the Conservative Caucus, it has a prominent libertarian element. Several members are libertarians or conservative-libertarians, and I serve as cabinet secretary, sort of like an executive director.

REASON: Has it gotten any serious press coverage?

JENKINS: Oh, sure. It's been on all of the television networks and the wire services and the *Washington Post* and almost every daily newspaper in the country. It's been attacked, maligned, praised. The *Atlanta Constitution* had just a terrible editorial—I think it was entitled "The Shadow Knows."

REASON: Is there anything that you really regret or that has been a big disappointment in your political endeavors? Some major task that you thought might be good but that really bombed out?

JENKINS: Well, let's see... No, I can't think of anything. In general I'd have to say that my experience in government has taught me that those who believe in liberty can be effective. When I was first elected to office I made a list of 20 things that I thought were possibly, someday, achievable—if I stayed in government a long time and worked real hard to achieve them. And they were things that were radical but, I thought, conceivable. But the first four years I was in the legislature, every single one of them came to pass, and most of them at my instigation. So I know there's great potential.

REASON: How about a regular press-conference question? What are your political intentions? What are your long-term plans? Do you want to run on the federal level? What for? Are you going to be president in the year 2000?

JENKINS: I'd like some day to run for governor or the U.S. Senate. Whether the proper occasion will present itself I don't know.

REASON: What would be the proper occasion?

JENKINS: Well, I don't like to run for things unless I have a reasonably good chance of winning, and if I do see such an opportunity, I will run for either of those positions.

REASON: Do you think governor will be your next try?

JENKINS: Well, it could be. We have a governor's election here in 1979, and it's a possibility.

REASON: Well, whether you stay in the Louisiana House or try something else, those who are concerned about liberty will no doubt follow you with interest. Thank you for talking with us. ◻

Libertarian Pluralism

viewpoint

Tibor R. Machan

As the number of people calling themselves libertarians increases, the diversity of this movement is also very likely. And there is nothing surprising about the fact that different factions will rush in to claim that they, not the others, offer the only clean, true, pure representation of libertarianism. This is true in my case, as well. I am convinced that my rendition of the political theory called libertarianism is correct, while renditions which differ from mine are, at least partially, mistaken.

In the capacity of an editor of a magazine which aims at furthering philosophical, political, economic, even psychological improvement in the culture, I must consider the issue of purity alongside several others. First of all, I am working with several people. Second, none of us has any illusions about being experts at producing a journalistically professional magazine. Third, we are financially very limited. Fourth, we are restricted in the talent we can draw on, for ideological reasons. (If this were not so, we probably would not see such a desperate need for our magazine!) Fifth, we are not merely meeting a demand but constantly promoting our ideas, educating, persuading, and explaining, often to people who do not see the value of what we have to offer until after we have done a decent job of communicating our ideas. Sixth, we are not certain about everything that is discussed in the magazine, so we must, in good judgement, leave room for disagreement.

Put all these aspects of our task together and you will see that we have to combine some conflicting or diverse characteristics within the pages of REASON. Sometimes we are going to go out on a limb, featuring pieces that will be thought of as irresponsibly exploratory, simply because those who so judge them will have convinced themselves of certain answers to questions we have not yet answered for ourselves. Sometimes we will seem rigid, because those so judging us will not have settled on a line about some issue which we treat as given in our pages. Sometimes we will seem exciting, because the reader will find topics untouched by others or old topics treated in a new fashion. Others will consider some of what we offer dull, because it does not suit their special concerns or does not take their own expertise or education into consideration.

One charge leveled at our magazine in the last few months has been that we are conservative. "Conservative" is being used here as a smear word, of course, aiming to convey that our perspective has leaned toward positions adopted or advocated by American conservatives such as Bill Buckley. What has been "conservative" in REASON? We have not settled for ourselves the topic of what precisely should we urge the US government to do, given the alternatives under consideration, concerning national defense, military policy, and diplomacy. So we have published articles advocating conflicting positions. Some of these exhort more than argue, partly because space is too short to allow better treatment, partly because that is all we get submitted, partly because we see that a *magazine* cannot do what major theoretical journals should do, etc. We have sought out well-argued, journalistic articles on foreign-affairs topics but have received nothing publishable beyond what we have published. Some of those who express the greatest moralistic outrage about what we have tolerated in our pages have done absolutely nothing to remedy the situation via their talent and performance.

Yet this does not mean that REASON has settled on some final answer in the foreign affairs area. Some of the editors lean more in one or another direction than others, but we just have not found anything conclusive and widely enough communicated that is compelling.

Then there are those who find us too radical, even outrageous, because we have published essays arguing such points as the validity of atheism. We have discussed abortion and while some letters to the editor have argued the case for prohibitions of all abortion, others have argued that there is no violation of human rights involved in a couple's reasonably early prevention of giving birth to a child. For this we have been denounced but, I should add that we have also received ample praise. (None of which is decisive in what we do, needless to say.)

We have been criticized for permitting Milton Friedman in our pages, as well as for publishing an interview with Timothy Leary. But we have received much praise for the same interviews. Our shorter features, also have drawn fire, as for example our foreign correspondents and satirical features. This column, with its different offerings, has gotten its share of praise and blame. Anarchists have considered REASON irresponsible for giving aid to the Libertarian Party, while Party leaders have criticized us for running articles questioning the LP. We have had a share of venom from all sides, and this is not something we had not expected, nor something we get terribly upset about. We too have given out occasional criticism of those who, when all is said and done, are more likely to be our allies than our adversaries.

But there is a trap that we try to avoid, one others often fall into. This is to focus on the foibles of those who, because they share many of our highest values, would be most likely to understand our kind of criticism. Calling a fellow supporter of political liberty a statist is tempting *if* you want to hurt him. John Kenneth Galbraith is not going to be awfully offended at that! Calling other libertarians pragmatists, conservatives, collectivist, altruists, irrational, etc., is very tempting because odds are that they really do not like to be any or most of these. But why should Bill Buckley be offended? He may even be proud, as would be George McGovern, with but a slight change of emphasis.

We have tried to focus on our real or primary adversaries. This is a virtue we are proud of. In the process of pressing our charges against real, self-conscious,

[*Continued on p. 49.*]

foreign correspondent

Relative Progress

Buenos Aires. If you recall my last column, on March 1976 our first woman president was deposed by a military coup, amidst an unprecedented scenario: urban and rural marxist guerillas in full action, an incredible inflation rate, widespread corruption at all levels of government, despair, fear. Today, we are not enjoying an ideal situation by far, we have not even gone back yet in some aspects to previous "normalcy," but we seem to be on our way to it. Things have improved dramatically, even though some people here do not realize it—due to a selective lack of memory—and despite a well-orchestrated international press campaign promoted by European friends of local terrorists and helped by well-wishing but naive commentators in the media.

During 1975 and the first half of 1976 everyone—including kids in high school—was speculating, day by day, in the foreign exchange black market or with indexed public bonds, in order to protect themselves against a daily two percent loss in the purchasing power of money. It has been an educational experience out of which, hopefully, we have been vaccinated against future temptations of easy fiat money.

The fact is that the inflation rate for 1977 will be approximately 150 percent, which is terribly high indeed, but is much better than the 1976 rate (350 percent) and the May '75-May '76 rate (830 percent). Despite some regressions, the tendency seems to be towards a lower rate for 1978, in order to reach "normal"—for Argentina—levels of about 30 percent by 1979. The main cause of this inflation was the budget deficit, which during the first quarter of 1976 was 13.5 percent of the gross national product and tending to increase, whereas for 1977 the budget deficit is being held within three percent of the GNP.

This relative but real success is due, predominantly, to the neo-free market policies of Economy Minister Martinez de Hoz—still in office since April 1976, an achievement in itself—who with a gradualist approach (too slow for impatient Latins) has been able to secure it and at the same time maintain a high level of employment with a substantially anti-statist, anti-interventionist approach: lower tariffs, a friendly attitude towards foreign investments and local private capitalists, an almost totally free exchange market, a predominantly free price system and much freer banking activity.

Of course, as always, the poor people are the most badly hit by inflation and the consequent anti-inflation policies. They are paying a high price through a generally low level of salaries, a sacrifice which we should understand and appreciate. But as money is again being saved primarily in the local banking system, and profit margins are being generated again, capital investment is rising, the factories are increasing their usable capacity towards normal levels and any student of von Mises knows that this is the beginning of the only existing road towards a better living standard for the salaried masses. In the meantime, though, "hard times" are here to stay, for some months at least.

These successes, though, could not have been obtained without the continued support of the Armed Forces which run the country and are fighting—and winning—a war. Because there was—and, up to a point, still is—a civil war in Argentina, against the marxist guerilla organizations which initiated it through treacherous means, such as kidnappings, bombings, killings of unarmed people, etc. And like any real war, it is a dirty one, with some deplorable excesses from some repressing authorities, regretted by almost everyone in this country, including the government itself.

The handling of guerilla forces by the Argentine government has been that typical and usual in a war: wherever an enemy is found, it is either taken prisoner—and held without trial—or shot on sight. We are not dealing with individual delinquents commiting individual crimes, nor with gangs trafficking in drugs or protection. This is a hot war, with one party trying to change by force the government system into another—socialist and totalitarian—and with the other party resisting.

Bear in mind, to avoid misinterpretations, that the terrorists do not have any popular backing at all; in fact, the fight against them has had the consent and many times the active help of the common man, tired of barbarism and fear. Perhaps one of these organizations had a slight degree of popular sympathy back in 1972/3, but they lost it completely when they continued fighting against the then-brand-new constitutional government elected in free elections. They became, thereafter, totally isolated from the masses they claimed to act on behalf of. Neither was the terrorism in Argentina the answer of an oppressed minority—as in Ireland—or majority—as in South Africa. It was merely the result of ideological extremism at its worst: the selection, by an important portion of marxist groups—and, believe it or not, of neo-nazi ones converted gradually into marxists—of the violent road towards power.

As of today, terrorist violence has been diminished to 10 percent of what it was a year ago: guerilla groups have regressed to the initial stage of the classic revolutionary war, which means merely urban bombings and the like, no longer having the capacity they once had to deploy dozens of personnel and tons of equipment into a rural area or against a military unit. Nowadays, the majority of guerilla leaders and members have been apprehended or killed, or are out of the country, with the remaining cells isolated and demoralized. And we are enjoying here a much more peaceful life.

For the time being—and surely for the near future—there is no real alternative to the present military regime. All political parties—their activities suspended—more or less agree on the need of its continuance for some time. There exist, for sure, some pockets of supernationalist and statist influence within the Armed Forces. Excesses occur and a certain authoritarian streak is sometimes visible and operational. We are experiencing, in fact, a bad case of McCarthyism: many believe that any marxist—even those who are nonviolent—ought to be jailed and, for some people, any leftist or dissident is a marxist. You already know about this kind of situation.

Of course, I am not happy with the situation as it is, especially so in some aspects. Your motto: "Reason: consider the alternative," is a constant reminder of the sorry state we are still in, since the "alternative," that is, force, is our present. But it must be borne in mind that the guilty party is not the present military government but the initiators of this hell: the violent terrorist organizations. Yes, I am not happy, but neither—I am sure—is President Videla. Because the purpose of the Armed Forces is not the implementation of a neo-fascist dictatorship for ever and for the benefit of a minority of whatever nature, but the foundation of a new democracy, without the curses of violence and inflation. This was precisely, by the way, what the Allied Forces did in Germany back in 1945/6. At that time and there, too, force was in command

[*Continued on p. 49.*]

washington watch

Airline Regulatory Reform

Persistence, persistence... perhaps it will pay off. The House held hearings on the issue in October (Aviation Subcommittee of the Public Works Committee) and may be ready to pass out some legislation in January. The Senate Commerce Committee finally marked-up and passed an airline regulatory reform bill. Letters to your Senators are definitely in order. If the Senate passes the bill it will put some pressure on the House to act.

Letters to your Senators may be addressed to US Senate, Washington, DC 20510. Letters to Rep. Glenn Anderson and some other important members of the Public Works Committee (Bud Shuster, R-PA; Gene Snyder, R-KY; Elliott Levitas, D-GA; Ray Roberts, D-TX) would be helpful (US House of Representatives, Washington, DC 20515.)

I know I've been harping on this issue for about a year. But the anti-reform interests, combined with the strength of inertia and ignorance, are difficult to overcome. We have a good chance for significant reform, but the Congresspersons need to hear from constituents.

The bill to mention in the Senate in S. 689. In the House, Glenn Anderson, chairman of the Aviation Subcommittee, has introduced H.R. 8813.

Tax Reform

Carter's introduction of tax "reform" legislation has opened up some opportunities to suggest other types of tax reform. The National Taxpayers Union has sought an end to double taxation of dividends and taxation of capital gains. Rep. Jack Kemp (R-NY) is pushing for an across-the-board tax cut along the lines of the Kennedy tax cut of the early 1960's. Libertarian Advocate has urged the Ways and Means Committee to lower taxes and consider instituting a tax "ballot" whereby taxpayers would be able to direct the government how their tax money should be spent.

The next session of Congress should see serious consideration of some form of tax "reform," and since it's an election year, taxes will be on Members' minds (to the extent that they believe their constituents are outraged). Letters in support of whatever method of lowering, reducing or eliminating taxes appeal to you would be in order.

Gold Clause Possible

Sen. Jesse Helms (R-NC) has introduced legislation which would make it legal for individuals to include clauses in contracts making liabilities payable in gold. This is a natural extension of legalization of gold ownership (and has been sold that way to Senators, without mention of how it could undermine the fiat money system). The bill is S. 2003 and contains other amendments to the International Monetary Fund legislation. The Office of Management and Budget has given approval to the legislation. Other sponsors include Stone (D-FL), Cannon (D-NE), McClure (R-ID), Domenici (R-NM), Stevens (R-AK), and Schmitt (R-NM). Letters of support to these Senators, and letters urging a "yes" vote on S. 2003, would be in order.

New Bank Regulations

The Bert Lance affair may give new

AVAILABLE HERE!! *The New Book Apparently Found So Threatening to Certain Randians That It Has Been BLACKBALLED by The Major Libertarian-Objectivist Book Dealer!!!——*

AYN RAND and ALIENATION

(The Platonic Idealism of the Objectivist Ethics and A Rational Alternative) © 1977

by Sid Greenberg

Contrary to the widely accepted views that "Objectivism failed" essentially because of the personalities and attitudes of the founders of the Objectivist movement, or because of the weaknesses of the philosophy's students, **AYN RAND and ALIENATION** by *Sid Greenberg* demonstrates that the failures were and are primarily a result of invalid and therefore rationally unpracticable ethical premises.

AYN RAND and ALIENATION, in a straightforward and uncomplicated manner shows that Objectivism's allegedly rational standard of value and moral primary, "man's life *qua* man," necessarily leads to both emotional alienation and institutionalized guilt-feelings—those experiences so obviously widespread in the Objectivist movement.

AYN RAND and ALIENATION shows that far from leading to happiness, "man's life *qua* man" as one's moral primary insidiously serves to *destroy* it, thus validating Nathaniel Branden's statement that "Objectivism has something anti-emotional about it."

The book further explains how the false and platonic premises of the Objectivist ethics led to the "moral authoritarianism" that was so prominent in the Objectivist movement, and how such premises and practices combined to create other religion-like symptoms in so many of Objectivism's "followers"—symptoms such as psychological automatism, "psycho-epistemological platonism," stultified individuality and creativity, etc. As the book points out, however, the Objectivist ethics have caused not only deep *psychological* damage, but enormous harm to the *Libertarian Movement*—for in reaction to the failure of those ethics on a personal level, has arisen much counter-productive factionalism and uncertainty among Libertarians over what constitutes valid conduct in the implementation and practice of political freedom. **AYN RAND and ALIENATION** offers a challenging solution to those problems.

The foregoing describes the first major portion of **AYN RAND and ALIENATION** by *Sid Greenberg*. As important and illuminating as it is, the second portion outdoes it. For therein is something to create a rejuvenation of excitement over the subject of ethics: The presentation of an alternative to the ethics of Objectivism, i.e., the introduction of a new standard of value — a standard which, while being *authentically* objective, while being a "tool of cognition," simultaneously allows one to *rationally* hold as a moral primary one's own *happiness*. This, of course, is in opposition to Objectivism's view, which advocates as morally prime an emotionally alienating focus on nothing but abstractions.

The identification of this unifying ethical-psychological concept involves a truly new, radical, and startlingly ingenious departure from certain universally accepted views of the *nature of consciousness*, and represents what might be one of the most original and important ideas in the history of *philosophy*. Interestingly, the proof of this idea involves arguments which are largely similar in *form* to those of Rand on the subject of ethics.

As additional points of interest, **AYN RAND and ALIENATION** presents a brief history of the Objectivist movement, as well as an introductory satirical short story (also by *Sid Greenberg*) dramatizing a style of emotional alienation characteristic of many "students of Objectivism."

The book's author, Sid Greenberg, a former long-time "student of Objectivism," is most widely known for his satirical philosophical limericks, and, as publisher of the significantly popular *The I In You*, a book of poetry by Darlene Bridge.

Indescribably Important Reading! Order Today!!

AYN RAND and ALIENATION

(The Platonic Idealism of the Objectivist Ethics and A Rational Alternative)

Please send me ( ) copies of **AYN RAND and ALIENATION** by *Sid Greenberg* at $3.95 ea. (post. .35 ea. address; Cal. res. add sales tax). total enc.: $ _____

Send books to: (use blank paper for additional addresses)

Name _____

Address _____

City, State _____ ZIP _____

Send cheques or money orders only please to:

BRIDGEBERG BOOKS

2337 Vicente
San Francisco, Ca., 94116
(415) 665-9260

impetus to a bill which would vastly increase the power of federal regulatory agencies to snoop into how banks run their businesses. S. 71 was already receiving serious consideration before Lance was skewered. It would give regulatory agencies broader power to issue "cease-and-desist" orders, including orders to individual officers and employees. It could even allow regulatory agencies to force management to fire specific individuals. The possibilities for abuse are manifest.

Letters opposed to S. 71 may be sent to your Senators.

ICC Reform?

Rep. Steve Symms (R-ID), in conjunction with the American Conservative Union and National Taxpayers Union, is preparing a comprehensive bill to reform the Interstate Commerce Commission and eliminate some of the more outrageous trucking practices. Insofar as we know details, the bill is short of libertarian hopes (abolish the ICC, dynamite and burn the building, and sow the ground with salt), but it would improve surface transportation substantially.

If airline reform is successful, the ICC is next on a lot of peoples' "hit list." Symms' bill is likely to be better than most proposals from Congressional leadership, and serious consideration of it would most likely be beneficial. We'll let you know more details as we learn them, or you could write to Symms (Washington, DC 20515) asking for particulars.

Coal Conversion

It is sometimes astounding how blind politicians assume people are (and disheartening how often the politicians are right). An example is the Coal Conversion Act (S. 977). This bill, a modified version of the Carter plan, would provide various carrots and sticks to urge industry to move toward coal energy, including prohibiting new plants from burning oil or natural gas after 1990.

The amazing thing is that the proponenets of this legislation admit that it would force consumer prices up in a broad spectrum of goods and services. It is estimated that electric utility rates would go up 2.5 percent, industrial goods prices up 1.4 to 2.1 percent with some goods rising much higher (petrochemicals up 6.2 to 9.3 percent and aluminum up 4 to 7 percent). All this from a single piece of legislation which its proponents are trying to sell as "consumer-oriented." And there is little or no outcry against it, except from oil and gas interests who can easily be dismissed as self-serving. Hopefully a few REASON readers will be moved to action on this one.

Rumor Department

It is suggested that Congress and the Administration may use the illness of Sen. Hubert Humphrey to drum up emotional support for the potentially disastrous Humphrey-Hawkins bill, which would set up the framework for national economic planning and outrageously increase government economic controls. We'll keep you informed on how close the rumors come to being reality. There is widespread skepticism even among liberals about this legislation, but if a "win one for the Hump" mentality emerges it could be dangerous.

Alan Bock

money

Greener on the Other Side

The world can be a funny place. As Americans put their money into Swiss banks, the Swiss (and other Europeans) are investing in the United States as the last bastion of free enterprise. Hong Kong's Chinese take out insurance policies by getting visas to Canada and buying up real estate in Vancouver and Houston. Australians grumbling about creeping socialism at home pull up stakes and move to the United States. While a recent book, *The Australian Alternative* (Arlington House), lauds the virtues of Australia as a place for Americans... to escape from creeping socialism at home!

While preferable, it isn't *necessary* to change the world to live in freedom. But like any other scarce commodity, freedom has a price which you may not be willing to pay. There are opportunities, though, wherever you look.

Take, for example, an acquaintance of mine who lives in Rumania and owns a *dacha* in Poland. He's Greek, with Australian citizenship, and businesses in various parts of the world. (Not including, of course, Rumania.) As a foreigner, he enjoys freedoms Rumanians do not have. And, naturally, he changes his money on the black market. "Where else in the world," he says, "can you live like a king for $100 per month?" (Indeed, *how* else?)

You could try Sri Lanka, where the government offers special privileges to foreigners residing there but with income from somewhere else. Or Vienna, Austria, where "everything's forbidden but you do it just the same."

Governments, you see, *are* subject to the laws of the market to a limited extent. From *one* point of view, though, your relationship to a government can be that of buyer and seller. *Not* that of subject and ruler.

If you are a foreigner.

To a government, its *own* citizens (including companies of whatever size) are people (or legal fictions) to be taxed, hampered, milked, and enslaved at every opportunity. *Non*-citizens (again including companies) fall into the same category—but with one important difference: *they can leave.* Governments rarely expropriate foreigners without compensation (even though they can) because such acts would destroy their "reputations." *Other* foreigners would go elsewhere.

Governments must offer foreigners market-style protection; otherwise, demand for that government's "services" dries up. This applies even to the government of the USSR. It desires to gain foreign exchange from selling tourism, thus it must assure foreign tourists that they can leave! Even the communist government of Vietnam has drafted the "most liberal" foreign investment code of any authoritarian government in Asia! (We have yet to see how it works in practice, though.)

There are two ways you can take advantage of this "competition" between governments. The first is to multinationalize *yourself*; the second is to multinationalize your *assets.*

To multinationalize yourself, you need to:

-be a citizen of country A;
-be a resident of country B;
-have your income derived in country C; and, to actually perform your work or sell your product in country D (or countries D—Z).

In addition, if you are a citizen of the United States you must change your citizenship—or never return personally to US soil—as the US government is the *only* government that taxes its citizens' incomes no matter where they live.

Of course, the price you have to pay is to leave your country of birth—a price

[*Continued on p. 43.*]

movies

Rolling Thunder • You Light Up My Life • The End of the Game • The Island of Dr. Moreau • The Empire of the Ants

•**ROLLING THUNDER** will probably be one of the more controversial films of the year. At last Hollywood has dared to touch on Vietnam—not the war itself, but its aftermath for those who were imprisoned for years in North Vietnam. This film is primarily about the psychological aftermath—without that background the plot would be quite implausible—and as such it is a powerful dose, not for queasy stomachs. There is more violence in it than there is in most violent films, and yet the audience applauds because (I hope it is because) the use of force by the protagonists is retaliatory.

Whether the retaliatory use of force to the degree in which it occurs in this film is justified, is a question that will spark much controversy, but I cannot speculate on it here without giving away the plot. Persons differently constituted, those who had not gone through the Vietnam experience, would have reacted differently to what happened on their return to Texas. The question is, a la Aristotle, whether *these* men, in the wake of these experiences, could or would probably have acted as these characters were depicted as acting. The film says they would, and the film is pretty convincing.

Those who applauded Charles Bronson's actions in *Death Wish* will probably applaud this one too, only more so. Those who believe with Jane Fonda that stories of American prisoners being tortured in North Vietnam are fabrications, will be certain to dislike it, probably citing "too much violence" or "taking the law into one's own hands" as the reason.

What is not controversial is that the mood and the plotting are expertly handled. Interspersed in the action there are revealing atmospheric touches, such as the dismally dull conversation at a house party by people who have endured nothing, and its effect on those who have endured everything. From the opening shot the film shows exactly where it is going; no detail is wasted, even though the audience might think otherwise at the time; and just when one sits back thinking "Oh, that's what it's going to be" there is a plot twist and it turns out to be something else. Whether one gives the actions in the film moral approval or disapproval, it is difficult to fault the rendition of the story, which is totally absorbing. —John Hospers

•If *Rocky* was the original of the new make-you-feel-good films, and *One on One* its carbon copy, then **YOU LIGHT UP MY LIFE** is a second carbon. This one is rather smudged. Some of the acting by young newcomers is praiseworthy, and some of the scenes have an uplifting, even inspiring, quality about them. In the light of this it is regrettable that so much of the film is so crudely and inexpertly done, that this keeps getting in the way of the experience one would like to have had from it. —J.H.

•Very few films are made in Switzerland, and in the light of **THE END OF THE GAME**, it would not be unreasonable to wish that there had been one fewer. There have been distinguished films from Switzerland in the past, such as (perhaps the most remarkable of all medical films) *The Eternal Mask* and the unforgettable performance by Mathias Wieman. But it has now become a widespread assumption by actors that their acting abilities also enable them to be good directors: e.g., Clint Eastwood, George C. Scott, Marlon Brando, and now Maximilian Schell. Unfortunately the assumption is not justified, and the two kinds of talent are quite different. Schell, a remarkable actor, apparently thought it would be a good idea, for the box office at least, to film it in English, knowing that Americans don't like to read translations at the bottom of the screen, and to import two good American actors (John Voight, Robert Shaw) and a competent French actress also known in America (Jacqueline Bisset). Schell's second "good idea" was to begin with an interesting (to some) premise, "A person can commit murder in front of witnesses and get by with it," and then develop it. The trouble is that he doesn't develop it very well. The whole mix never quite jells. The collection of characters is not individuated enough for us to become involved in what happens to them, and if one tries one finds that their motivations aren't very plausible. As for the plot, it becomes so unwieldy that by the time it's all over we decide, if we hadn't done so long before, that it wasn't worth the trouble to try to follow it closely. A few of the Swiss backgrounds are nice, but not as nice as looking at a free travel brochure extolling the beauties of the Alps. —J.H.

•Novels by H.G. Wells have fared rather spottily on the screen. His best novel, *Joan and Peter*, has never been filmed, but his books of science-fantasy have all been adapted. In the 1930's *Things to Come* was a sensation for its time; the futuristic sets, though now outdated, are still interesting to watch on late-night TV. In the 1950's *The War of the Worlds* was well plotted, and its special effects scary enough, though only a few of the interesting features of Wells' novel were included. Now comes **THE ISLAND OF DR. MOREAU**, whose outcome is so predictable from the outset that almost no tension is evoked. So we sit back to watch the latest innovations from the special effects department, which in this case consist of men made into monkeys, lions, pigs, and a grisly assortment of other creatures which are still recognizable as men. Neither seeing people or seeing pigs is offensive (as a rule), but seeing an attempted combination of the two is visually repellent in the extreme. Nor is there anything in this dull film to repay viewers for having to suffer through all of this hideousness.

At least no bad aftertaste is left by **EMPIRE OF THE ANTS**, unless one takes extreme exception to the sight of large and not very convincing insects. The story builds slowly, to the point of being dull through the first half, and the characters are such cliches as to be total bores. The film has an interesting plot twist toward the end, with political implications which might have made the whole enterprise worthwhile, except that it is never developed, and the film ends inconclusively, as if uncertain where to go. It is safe to say that Mr. Wells would not have been pleased by either of these adaptations of his work. —J.H.

Why are people starving?
Because the rulers eat up the money in taxes.
Therefore the people are starving.

Why are the people rebellious?
Because the rulers interfere too much.
Therefore they are rebellious.

Why do the people think so little of death?
Because the rulers demand too much of life.
Therefore the people take death lightly.

Having little to live on, one knows better than to value life too much.

Lao Tsu
600 BC

books

It Didn't Start with Watergate

By Victor Lasky
New York: Dial Press. 1977. 416 pp. $10

Reviewed by Steve Beckner

In 1963, Victor Lasky intruded upon the waning idylls of the Kennedy Administration with his caustic bestseller, *JFK: The Man and the Myth*. Now Lasky is back with another blockbuster.

If its tone weren't a bit too apologetic for Republican misdeeds, *It Didn't Start with Watergate* would be more palatable and, indeed, more credible. Even so, it makes revealing, intriguing and—for those who retched at the craven hypocrisy of the Nixon witch-hunt days—very satisfying reading.

Much of what Lasky has to say in his unabashedly strident fashion will be familiar to most. He strives to construct from many sources a single, encyclopedic account of all the political deceit, corruption, and skullduggery of the last 40 years. It is this, and not any claim to reportorial originality, that is the book's main virtue.

The more one reads, the more one comes to the author's conclusion that the sins of Nixon were greatly overshadowed by those of his predecessors. There is no lack of examples. For instance, Lasky tells of how Kennedy used the Internal Revenue Service against Nixon and his campaign manager, Robert Finch, after his 1960 election victory. More vicious was the Kennedy use of the Federal Communications Commission, as well as the IRS, to silence right-wing organizations and spokesmen in preparation for the 1964 election—all in a surreptitious manner that would have made latter-day "plumbers" and money launderers proud. "The irony," Lasky writes, "is that the IRS witch-hunt, particularly as it was concentrated against right-wing dissenters, was applauded by the very same people who later were to raise unshirted hell when the Nixon administration sought to use the same techniques to 'contain'...the Black Panthers, the Weathermen and other violence prone New Left groups."

And Kennedy did not limit himself to abusing only right-wing radio commentators. Anyone who dared criticize Camelot found himself on the White House "enemies list" of that day. Even *Washington Post* Editor and sometime-Kennedy confidant Benjamin Bradlee was wiretapped, according to Lasky, who was himself a victim of Kennedy harassment.

For cover-ups it is hard to beat the Johnson-era whitewashing of the Bobby Baker scandal, when some of the same Democrats who later sat on the Senate Watergate Committee blocked attempts to make Johnson aide Walter Jenkins testify.

Campaign espionage? How about "Landslide Lyndon's" electronic surveillance of Barry Goldwater in 1964? Of course, Johnson didn't limit himself to spying on his Republican opponents, having earlier used the FBI against Democratic rivals.

Then there were even more unsavory FBI exploits against Martin Luther King, Jr., and others, under the specific direction and approval of "liberal" saints like Attorneys General Robert Kennedy, Nicholas Katzenbach, and Ramsay Clark.

Right up until the break of the Watergate scandal, the bitterest critics of Republican mischief engaged in equally culpable activity. While denouncing the school-boy antics of Donald Segretti, George McGovern was using legendary dirty trickster Dick Tuck to undermine the hopes of his intraparty foes. And where was illicit campaign financing more rife than in the milk-fund largesse of big-name Democrats?

The list goes on and on, but alas, Lasky grows more and more partisan. And when he attempts to show that Nixon was innocent of real involvement and was merely betrayed by subordinates, he falters. When he goes so far as to defend the Huston Plan for the use of mail covers, electronic surveillance, and illegal break-ins against "the left," then the book degenerates into pure right-wing dogma at its worst, which puts the author in the same class as many of the White House lackeys he claims to disdain. Nevertheless, surely one pro-Nixon book can be tolerated among the raft of less-than-honest diatribes that has glutted the market in the aftermath of Watergate.

Moreover, despite its shortcomings, the Lasky book is more than mere sour grapes offered up by a vengeful Republican of the right. In fact, it can be read as a relevant commentary on contemporary events. For after Nixon was driven from office, after all the putrefying gore of governmental abuse of power had been unearthed, too many people naively relaxed and gave in to the hope that, as Gerald Ford put it, "our long national nightmare is over."

What this particular Watergate account does, at its best, is to use historical perspective to show that for some time—since it abandoned the Constitution and adopted imperial hubris—America has been living in one continual nightmare. Even today, so soon after the devil had supposedly been exorcised from Washington, that nightmare continues:

- The old atmosphere of fawning, uncritical acceptance, which fostered so much presidential hoodwinking of the public in the past—has returned to White House press conferences.
- Congress engages in wrist slapping against Budget Director Bert Lance, whose flagrant financial misdealings should have disqualified him immediately from his crucial position of public trust. And it has been revealed that the Comptroller of the Currency knew about Lance's underhanded use of correspondent bank connections but curtailed its investigation after Jimmy Carter was elected.
- The Korean influence scandal "investigation"—dominated by the same Democrats who sanctioned the bribes-taking for years—meanders lethargically with scarcely a hint of the hue and cry that greeted GOP transgressions.
- And the trampling of civil liberties proceeds in earnest, the latest example being the massive raids (since declared unconstitutional in part) on the Church of Scientology. The raids were done openly and publicly, but that doesn't make them any less scary. In fact, former Washington ACLU Director Charles Morgan recently told a group of libertarians in the nation's capital that, "post-Watergate morality" or not, "people who stand against the government—left or right—can expect the government to fight back." Because of its libertarian stands, particularly on the international intelligence agency Interpol, Morgan said that "there are people in the IRS and FBI who would like nothing better than to get the Church of Scientology."

By documenting all the disgusting debauchery of authority emanating from Washington over the past 40 years, Lasky should have laid to rest the notion that Watergate was some kind of isolated, freak incident attributable to the vague, vicious personality of one man. While probably not intending to do so, Lasky shows that corruption, assaults on personal liberties, political sabotage, and so

on are constant, inevitable phenomena in a society that is proceeding down the road to government omnipotence. The activities described in *It Didn't Start with Watergate* are nothing more than the acting out of Garret Garet's thesis in *The People's Pottage*. Writing some 30 years ago, Garet feared that, having sold out their own heritage of freedom and independence for the beguiling security and largesse of the "warfare-welfare state," Americans would soon have to pay the price of this Faustian bargain in terms of ubiquitous governmental dishonesty.

Lasky leaves us little hope. Indeed, he implies that the American people have not seen the last, that Nixon will prove to have been one of our milder "nightmares." And Nixon, as Lasky points out, faced a hostile Congress, press, and international establishment. Which leaves us with the haunting question: What havoc might future, more popular presidents—unshackled by journalistic or legislative vigilance—wreak upon an unsuspecting public? ◻

Mr. Beckner has a background in history and economics and is the editor of Deaknews, *a financial newsletter.*

The 1977 Insider's Banking & Credit Almanac

By Mark Skousen
Alexandria, Va.: Kephart Communications. 1977. 128 pp. $12.95 (paper)

"Welcome to the exciting world of banking!" opens this compendium of names, places, calculated schemes, and shrewd recommendations on how to manage your financial existence. Welcome indeed! From page one, author Skousen reviews a parade of innovations in banking and credit financing: free and interest-paying checking accounts, "Special Gold Accounts" that carry your balance in convertible gold, overdraft checking accounts, high-roller credit cards, unusual advantages of foreign banks, and ingenious ways of using money to make more money.

This is a book for those "who want to get more for their money and make their way up the financial ladder to success," and Skousen takes to his task with encyclopedic zeal. He covers all aspects of convential finance—banks, credit unions, loan institutions, repositories, money markets—in scrupulous detail, supported by illustrative calculations and expressed in a straightforward style. The point is to instruct and arm the reader with thorough and pragmatic information about personal finance.

Skousen sounds some general themes that seem to be characteristic of banking in this inflationary era. The most immediate one is that of *credit*. Common wisdom has had it that one should borrow money seldom and only *in extremis*. Nowadays, however, with inflation as it is and interest rates encumbered by legislated limitations, there is little real cost involved in borrowing money—and tremendous opportunities to parlay large sums into larger sums! As always, of course, boldness and ambition seem to be the prime requisites for fortune seeking.

Another theme is the Peter-and-Paul leapfrog scheme—"borrowing from Peter to pay Paul"—when the debtor had previously borrowed from Paul. When one can earn considerable interest on borrowed money (and when inflation reduces the real value of debt), such an approach no longer refers to financial short-sightedness. Skousen provides a multitude of recipes for pulling this scam, involving an interlocking circuit of credit-card accounts, overdraft checking accounts, and grace-period savings accounts. All you have to do is keep one step ahead of the banks' computers. To be sure, he explicitly cautions the reader about the consequences of fraudulent intent.

Skousen discusses alternatives to conventional banks and carefully considers the benefits and drawbacks of overseas accounts. He devotes whole chapters to the topics of privacy in one's transactions, how to evaluate the financial integrity of a bank, and (surprise!) how to establish *your own* bank.

In his concentration on the financial aspects of banking, Skousen may be slighting coverage of other, worthwhile questions. For instance, there is little or no mention of remote-terminal deposit/withdrawal machines (common in the Pacific Northwest) that give the advantage of 24-hour access to banking, seven days a week. You profit nothing by this arrangement—apart from the exceptional convenience.

And this illustrates the book's limits. For its purposes, the book is most useful to those with a four-figure bank account to start with. Nevertheless, it *is* a competent and complete introduction to the banking arts. On these grounds alone it is worth reading. **—Mike Dunn**

money

[*Continued from p. 40.*]

which, understandably, many refuse to pay. There is, however, a second route which is to multinationalize your *assets*, but not yourself. This is the more dangerous. In the first instance, you can be completely open about what you are doing. To gain asset-privacy, you must do so in complete secrecy. It works this way:

-the ownership of your assets is in country A (either through a company you own—in secret—or via the services of a Swiss bank or some other intermediary);

-the physical location of the assets is anywhere *but* country A—and preferably not in your own country.

You can, however, by shifting legal ownership and control offshore, become an employee of yourself. While you remain a citizen of your own country, your assets become foreigners—and therefore receive the privileged treatment (and relative security from expropriation) that foreigners enjoy. You can own your business, your home, and your investments in this way, and by careful planning reduce and even eliminate most of the taxes you now pay.

The biggest problem with the second course is moving your current assets overseas in the first instance. It is difficult to do this in a way that does not alert your tax authority, especially if your current assets are substantial. But here is something for all self-generated people to consider who are starting out on their own.

It is nothing for the young (or older people for that matter) to spend a year or two traveling the globe. Nor is there any reason why such a person should not return to the country of his birth as the president of the US subsidiary of a young and aggressive Swiss/Liechtenstein/Cayman Island/etc. company. After all, if you're starting out in your own business, you're going to have to form a company somewhere along the line. It may cost a little more—but certainly not that much more—to have that extra insurance of being a foreigner right from the start. Similarly, any new expansion you may currently be considering could begin with that little extra bonus—and provide the vehicle for the transfer of ownership to *current* assets offshore.

The ultimate benefit of internationalizing yourself is that no matter how socialistic and authoritarian the country becomes, *your* assets will *already* be offshore. Regardless of the attractions of a "retreat" somewhere in the mountains, there will always be someplace in the world where freedom is the rule rather than the exception. You'll be ready—and financially able—to move there at a moment's notice. Mark Tier

spotlight

Monopoly Breaker

Not long ago, Patricia Brennan did an unusual thing: she entered a post office. Her presence caused something of a stir among the 40 people stacked up inside. "If she was running the Post Office, it would be run right," called out one individual. Upon hearing the remark, members of the crowd burst into applause.

Patricia Brennan, an enterprising 25 year old resident of Rochester, New York, has plenty of admirers these days. She is the latest person to defy the US Postal Service monopoly on delivery of first class mail, and by all odds the most successful. Thanks to the solid backing of the Rochester legal community, she has won some significant court victories for her prospering private mail firm.

Patrons of the P.H. Brennan Hand Delivery Company enjoy a variety of advantages over customers of the US Postal Service. To deliver a letter of virtually any weight, they have only to pay a fee of 10 cents. Delivery is guaranteed the same day anywhere in downtown Rochester. "Business is spectacular," says Brennan, whose full time staff of two employees will soon be supplemented to meet the booming demand. At peak times, her company delivers more than 1000 letters a day.

The beginnings of the firm were humble. In 1975, while working as an electron microscope operator, Brennan lost patience with the federal monopoly on the mail. The cause of her disaffection was a letter from a friend in Idaho advising of plans to travel East. It arrived 13 days late; she learned about her friend's trip when he called from the Rochester airport.

An opportunity soon presented itself to strike a blow against the Postal Service. Early in 1976, while talking in the law firm office of her husband Paul, the P.H. Brennan Hand Delivery Company was created. "He handed me a letter and said, "Save the firm 13 cents—take it across the street,'" she remembers.

Brennan quickly found that others shared her opinion of government mail delivery. "People were tired of waiting four days for a letter to be delivered across the street," she says. Law firms were among the first to sign up as clients; today, Brennan's company serves an estimated 80 to 90 percent of the city's legal community. Some of the major law firms have managed to cut their monthly postage bills by up to $100 apiece.

As word spread of her rates and same-day delivery, Brennan began picking up other customers, including branches of the judicial system and insurance companies. By September of 1976, the US Postal Service was worried. Postal inspectors began following Brennan's carriers as they made their appointed rounds, rifling through trash bags for evidence of the company's rubber-stamped "postmark."

Armed with incriminating envelopes, the Postal Service initiated criminal suit against the Brennans toward the end of 1976. Citing the federal private express statutes, the government invoked the threat of fines or jail terms unless the Brennans abandoned their enterprise.

Patricia Brennan

The criminal suit failed. "Rochester is fairly conservative, and they are not about to put a 25 year old woman behind bars," says Patricia. Assisted by the advice of law firms using the private mail service, the Brennans were able to force the government to lodge a civil suit instead—apparently the first time that a private mail firm has succeeded in doing so.

In its civil suit, which was filed last February, the government alleged that the Brennans were taking away revenues from the Postal Service that were "vital to the performance of its statutory function." The Postal Service underscored its determination by placing a large ad in the local newspaper, announcing that customers of the Brennan firm would pay a $50 fine each time they were caught using it. Supporting the thrust of the government suit, the federal letter carrier's union filed a legal action against the Brennans on its own.

Patricia Brennan counterattacked by taking her case via the media to the people. In one well publicized gesture, she offered to buy an unused $15 million postal facility in suburban Rochester for $800, and make it her company headquarters. The facility has been empty because the Postal Service forgot to file an environmental impact report.

Although the proposal was rejected, Brennan has fared well to date in the courts. In May, a union request for an injunction to halt her operations was denied. A federal judge—the oldest sitting federal judge in the country—has been sitting on a motion for "summary judgment" of the lawsuits for many months, and seems to be in no hurry to make up his mind. Brennan notes that the lawsuit's state of suspended animation works to her benefit, because no new suits can be filed in the meantime. "I'm not petrified every time the phone rings anymore," she says.

Should the judge eventually rule against her company, Brennan plans to take the case to appellate court—provided money for legal expenses can be raised. "We're very interested to get the issue before the courts," she says. "We think it's the right time for a challenge to the private express statutes on Constitutional grounds." One of the city's leading law firms has been handling her case, and others vow to tie up the Postal Service with supportive legal actions if necessary.

The result of Brennan's enthusiasm and enterprise may be to fulfill a lifelong dream. "My goal in life is to have my picture on a stamp," she says. For those who wish to see the postal monopoly give way to private mail delivery around the country, the achievement of Brennan's goal may be the fulfillment of theirs, too. ◻

Readers are invited to nominate persons to appear in this column. Send details to Spotlight, REASON, Box 40105, Santa Barbara, CA 93103.

LUCIFER'S LEXICON

by L.A. Rollins

Americanist, *n. A Bircher who loves America no matter how much he hates it.*

national security, *n. Job security.*

President-for-Life, *n. President-until-Assassinated.*

tax, *n. A payment made to the State for the service of not being imprisoned for tax evasion.*

publisher's notes

• MONEY COLUMNIST

This month's Money column is the first to be written by our new columnist, Mark Tier. A seasoned financial writer, Tier edited and published an Australian advisory letter for three years, expanding it this year into the internationally circulated *World Money Analyst*, published in Hong Kong. Tier authored the 1974 best-selling Australian booklet, "Understanding Inflation." He was also one of the founders of Australia's libertarian political party (now called the Progress Party). Tier received a degree in economics from the Australian National University in Canberra, "after which," he reports, "I learned economics." His international perspective on money will appear in REASON's pages every second month.

• NEW JOURNAL

Readers may be interested in the founding of a new scholarly journal called *Alternative Futures: The Journal of Utopian Studies*. According to the editors, it "will provide a forum for utopian and futures-oriented scholarship and commentary." They are seeking material "from the entire range of disciplines bearing on utopian and futures thinking, such as philosophy, history, and literature on the one hand and ecology, sociology, political science, and values aspects of science and technology on the other." This should be a good place to introduce libertarian/anarchocapitalist visions of the future. Article proposals and manuscripts should be submitted (in duplicate, with return postage) to either of the editors: Alexandra Aldridge, Dept. of Humanities, College of Engineering, University of Michigan, Ann Arbor, MI 48109, or Merrit Abrash, Human Dimensions Center, Renselaer Polytechnic Institute, Troy, NY 12181.

"QUITE FRANKLY, FERNANDO, MY AMBITION IS TO BECOME DRUNK WITH POWER."

¡Speak Spanish like a diplomat!

What sort of people need to learn a foreign language as quickly and effectively as possible? *Foreign service personnel*, that's who. Members of America's diplomatic corps are assigned to U.S. embassies abroad, where they must be able to converse fluently in every situation.

Now, *you* can learn to speak Spanish just like these diplomatic personnel do—with the Foreign Service Institute's Programmatic Spanish Course.

The U.S. Department of State has spent tens of thousands of dollars developing this course. It's by far *the most effective way* to learn Spanish *immediately*.

The Programmatic Spanish Course consists of a series of tape cassettes and an accompanying textbook. You simply follow the spoken and written instructions, listening and repeating. The course begins entirely in English. But by its end, you'll find yourself learning and speaking entirely in Spanish!

This course turns your cassette player into a "teaching machine." With its unique "programmatic" learning method, you set your own pace—testing yourself, correcting errors, reinforcing accurate responses.

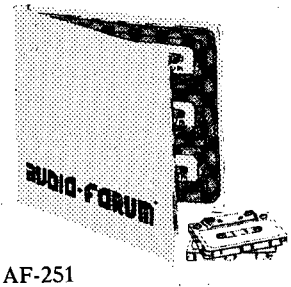
The FSI's Programmatic Spanish Course comes in two volumes:

- Volume I, Basic. Tapes 901-910 (10 cassettes, 16 hours) and 464-page text, $107
- Volume II, Advanced. Tapes 911-918 (8 cassettes, 11½ hours) and 614-page text, $86

Your cassettes are shipped to you in handsome library binders.

TO ORDER, just clip this ad and mail it with your name and address, and a check or money order. Or, charge to your credit card (American Express, Bank-Americard, Master Charge) by enclosing card number, expiration date, and your signature.

The Foreign Service Institute's Spanish course is *unconditionally guaranteed*. Try it for three weeks. If you're not convinced it's *the fastest, easiest, most painless way to learn Spanish*, return it and we'll refund every penny you paid! Order today!



AF-251

AUDIO-FORUM®

901 N. Washington St., Dept. 195, Alexandria, VA 22314

frontlines

Public Belief in Collectivism

One of the persuasive factors in Marxist ideology has always been its claim to historical inevitability. In the early days of socialism, many intellectuals were driven emotionally by the feeling of participation in a historical crusade which would ultimately triumph. Nothing, perhaps, is more frustrating and alienating than the perception that all of your efforts are futile and your cause will ultimately lose anyway. These dynamics of socialist ideology are still at work today—and libertarians who may be cynical and disappointed about the 1976 election results might be interested in some empirical data.

The *Harvard Business Review* two years ago published the results of a survey of subscribers, all of whom might be considered leaders in society. The survey posed a choice between two ideological statements. The first statement was a John Locke, individualist, Herbert Spencer formulation and the second was a John Dewey, communitarian, Wesley Mouch gem. More than two-thirds of the 1800 respondents selected the individualist statement as a description of their personal beliefs—but only 59 percent believe that the rest of society agrees with them, and only 23 percent believe that American society in 1985 will support individualism. To underscore the degree of pessimism, 63 percent believe that free market solutions are more likely to be effective in solving future problems.

Along with minor regional differences reported—the northeastern part of the country is more collectivistic and the mountain, south central, and far west are more individualistic—the most interesting split is between men and women. Whereas 71 percent of men identify themselves with individualism, only 57 percent of the women responded similarly; 28 percent of the men are collectivists and 42 percent of women are. As to 1985, the two sexes are equally persuaded, 73 to 25 percent, that collectivism will dominate. While 61 percent of the men believe that individualism offers the best solution to future problems, 53 percent of the women subscribers believe that collectivism offers the better answers. (The small percentage point variances are a result of sample size differences.)

The results of the survey were duplicated during the summer of 1977 by the marketing department of Amoco Oil Company in a survey of motorists, not limited to the socioeconomic group of *Harvard Business Review* subscribers. The results are 72 to 23 percent prefer individualism over collectivism, but the split is 47 to 47 percent as to beliefs about other people today, and over the next 15 years 51 percent believe collectivism will dominate.

Whatever can be said about the "inevitable triumph of socialism," one thing is clear—most people have fallen for the Marxist line. There is something about collectivism which leads to the result that, even if you hate it, you are likely to think that almost everyone else supports it.

COPORATE SOCIALISM

In 1974 the marketing department of a major Chicago advertising agency conducted a number of in-depth interviews with several panels of representative citizens to determine their attitudes toward free enterprise. Two findings are instructive, from a libertarian perspective. "Free enterprise" to most of the people interviewed means the opportunity to start one's own business. Big business is perceived along with government as signifying a move toward collectivism. Most people in the study believe that the little man, whom they identified with, doesn't really count in today's society. They think that free enterprise today doesn't really exist as it did in the past. They perceived the change to be a result of the increased complexity and size of the modern economy—the natural consequence of the successes of free enterprise. The increased measure of government control is perceived as necessary to contain monopolies, but both the government and the "monopolies" are viewed disapprovingly. Yet free enterprise, whatever that means, is widely supported.

The Campus Studies Institute, famous for the *Incredible Bread Machine* film, recently published their 1977 national opinion survey of faculty and students to determine beliefs relating to free enterprise. The interesting aspect of the survey is the very high proportion of the respondents who hold inconsistent positions, coming out in favor of free enterprise on some questions and against it on others. An examination of the questions and the inconsistencies in the measured responses suggests to this columnist that perhaps the entire libertarian movement might profit from creative new formulations of economic ideas. The general public, given the background attitudes and misinformation about economic processes which people hold, simply cannot be expected to support a reduced role for government if this is perceived as an increased role for big business. They might, on the other hand, be strongly in favor of "deinstitutionalization" or some political movement advocating individual liberty if this were stated in terms of the freedom of "the little guy" to run his or her own business.

A serious problem with which the conservative movement has long been saddled, and which affects the declining support for the Republican Party in particular, is the idea that big business would benefit from deregulation and average citizens would not particularly be helped. The Libertarian Party is fortunate in that its radical commitment to social laissez-faire has, for the time being at least, masked the fact that we have a healthy admiration for those big business enterprises which have made it without government favoritism. In attempting to communicate the ideal concept of laissez-faire capitalism as part of this political movement, it is clearly very important to avoid the looming booby trap of guilt by association.

An interesting secondary factor influencing public attitudes toward business and free enterprise may be inflation. The issue of inflation is ranked at the top of almost every list of public worries, far outstripping concern for unemployment or environmental pullution. Of course, inflation is perceived in the marketplace as a business pricing issue, rather than a Federal Reserve Board problem. Public confidence that business is performing in the general interest has dropped from a high of around 70 percent in the late 1960's to a low of around 15 percent today. This drop coincides almost perfectly with the rise of inflation since 1970.

If a libertarian campaign on economic issues were to be designed for a maximum public impact, some conceptual link between anti-inflation, anti-big business, and anti-government would have to be formed. It is not clear if the common popular belief in conspiracy theories would help among the general public more than it would hurt among the opinion leaders, whom we must also influence, but perhaps the opportunity ought to be exploited experimentally. In general, at least, some effort should be made to make the vast majority aware that socialism is not the wave of the future—indeed, that most people think it stinks.

Joe Cobb

This column is concerned with activities on the frontlines of the battle for freedom. Material for use in Frontlines should be sent to Joe Cobb, Box 1776, Chicago, IL 60690.

letters

[Continued from p. 9.]

burned the Reichstag in Berlin in January, 1933. Ernst's letter "confessing" to this act was fabricated by Willi Muenzenberg's Red fakery factory in Paris, and was edited in Moscow by Georgii Dimitrov, Stalin's No. 1 Comintern agent, prior to publication in 1934. I recommend Fritz Tobias's book *The Reichstag Fire* (1963) for a fairly recent expose of the various baths of Soviet bilge on this event to which the world was subjected, much of which has not rubbed off even now.

James J. Martin
Palmer Lake, CO

Broad Outlook

Re the September issue of REASON:
- Tibor Machan, "Smears on Liberty"
- Edith Efron, "Spotlight"
- Peter Breggin, "Why We Consent to Oppression
- Goodson and Longinotti, "Those 'Natural' Rights Aren't"

This is the beginning of the "broad world outlook" Efron speaks of. Do give us more....

Michael Geister
Carpentersville, IL

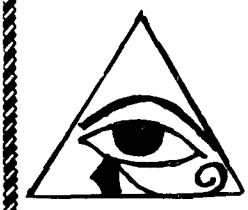
Scientific Method Illogical?

Robert Schaeffer defends his "objective scientific truth" in his essay in your August issue. Perhaps Mr. Schaeffer is aware of a refutation of the contention that the scientific method is quite illogical in that it involves committing the fallacy of asserting the consequent. If so, would he please provide me with a sorites—or at least a syllogism—demonstrating that the scientific method *is* logical?

John W. Robbins
Nashua, NH

Mr. Sheaffer replies: I am not quite certain that I fully understand Mr. Robbins' question; permit me to attempt to reformulate the question, and answer it as best I can. Some philosophers, chiefly those who champion Scripture over science, have contended that the scientific method is grounded upon the logical fallacy of "affirming the consequent:" i.e., a theory implies a certain observational result; the result is duly observed; our fallacious conclusion is that the theory is true. (Syllogistically: A implies B; B; therefore A.) This is indeed a formal logical fallacy.

It does not, however, describe or in any way pertain to the scientific method, which is *empirical*, not analytic, in its foundation. This is the distinction between science and mathematics. The theories of science do not lay claim to absolute certainty, as do the theorems of mathematics: if they did, Mr. Robbins'



Exclusive Interview with
ROBERT ANTON WILSON
Author of ILLUMINATUS!
Spring 1977 Issue of **Conspiracy Digest**
Special Introductory Price $2.95
[Regular single issue price $4.95]

Alpine Enterprises Box 766 Dearborn, Michigan 48121

Lysander Spooner was the only constitutional lawyer in history to evolve into an Individualist Anarchist and now you can read

LYSANDER SPOONER'S
Essay on
"VICES ARE NOT CRIMES"
"A Vindication of Moral Liberty"

published anonymously in 1875
and not included in
"Collected Works of Lysander Spooner"

NOW AVAILABLE FOR THE FIRST TIME IN OVER 100 YEARS!

Introduction by Murray Rothbard
Forward by Carl Watner
plus Benjamin Tucker's essay
"Our Nestor Taken From Us"

TO BE PUBLISHED IN NOVEMBER

$2.95 softcover

order from
TANSTAAFL
P.O. Box 257, Cupertino, CA 95014
Direct Inquiries to Janice Allen

criticism would indeed be valid. No scientific theory ever achieves the status of fixed and unalterable truth. Newton stands in danger of being refuted every time an apple works itself loose from its tree. It is widely believed, however, that the probability of such an event is vanishingly small.

Mr. Robbins' request to see syllogistic proof "that the scientific method is logical" is of course based upon this misunderstanding: the confusion of logical proof with empirical deduction. One cannot prove syllogistically that the sun will rise tomorrow. The scientific method is a self-correcting process which has shown itself capable of successively more accurate approximations to the universe of observed phenomena. It is nothing other than the free market for ideas. If anyone has discovered a more reliable means of obtaining *public* knowledge about the objective universe in which we all must live, I should be most interested to know about it.—**R.S.**

Organized Debunkers

Mr. Robert Sheaffer stated that the active debunkers of "pseudo-science" are for the most part amateurs and almost none of them professional scientists. As a point of information to your readers a group called the ZETETIC was formed to "investigate" (debunk) the pseudoscience prevalent today. Among members are Isaac Asimov and B.F. Skinner. (Wouldn't it be nice to have a debate between Koestler and Skinner on this subject in REASON.) The Zetetic's address: The Zetetic, 923 Kensington Ave., Buffalo, NY.

Lawrence Blair
San Francisco, CA

Speaking Out

In examining the tools available to build freedom, I find that most members of Libertarian groups are unable and unwilling to go out and speak their thoughts. Since we get little space in the media, and need to find and influence thousands who can be reached by voice, refusing to learn to speak effectively is a form of cowardice and treason.

How do you qualify yourself in a relatively short time to go out and speak, to be heard and understood? You join Toastmasters. It is an international organization in which members in clubs provide audiences in order to practice on each other. They follow organized programs that build their competence, yet the most important single thing is practice, evaluated by your peers. Numerous Dale Carnegie graduates join TM just to be able to practice, once they've gotten the treatment in theory.

Remember that all the great men of history got there by word of mouth, their own. Until you can be heard effectively, your life is wasted. If you are faced by fear, these clubs have simple ways to overcome it, so go, and let them handle the rest.

Freedom depends on what each of us does. If most of us sit home and keep our mouths shut, we won't be very effective. Take over Toastmasters, and step out into the ranks of the verbal warriors. We need every voice we can get.

Thomas S. Booz
Plantation, FL

P.S. If you can't find a local club by calling the Chamber of Commerce, write to Toastmasters International, Box 10400, Santa Ana, CA 92711.

rudebarbs

by Randall K. Hylkema

MY TENANTS!
SIGN YOUR RENT CONTROL PETITION HERE
TAKi PALMS APT'S
NO VACANCY
POOL WITH WATER
NO PETS (REPTILES O.K.)
GAYS OK IF ACCOMPANIED BY A STRAIGHT
SO, YOU GUYS WANT LOWER RENTS?
NO! NO!
IT'S NOT JUST THAT!
IT'S A PHILO-SOPHICAL ISSUE!
Hylkema
SOMETHING AS ELEMENTAL AS SHELTER SHOULDNT BE LEFT TO THE FREE MARKET.
FAIR RENTS CAN ONLY BE DECIDED BY OUR REPRESENTATIVES.
WE'RE NOT JUST SOME SPECIAL INTEREST GROUP.
HEY! YOU GUYS DID IT!
CITY ADOPTS RENT CONTROL
THEY SET MINIMUM RENTS!
BOOF! NURL! ELQ!
MAYOR HAILS MOVE
RENTS UP, UP!
Y'KNOW... I'M BEGINNING TO COME AROUND TO YOUR POLITICAL PRINCIPLES...
SPECIAL INTEREST PRESSURE TACTICS!
WE MUTUALLY AGREED TO OUR OLD RENTS!
I GUESS MORE CITY COUNCILMEN ARE LAND-LORDS THAN TENANTS...

viewpoint

[Continued from p. 37.]

avowed statists, collectivists, irrationalists, etc., we often step on friendly toes, and that cannot be avoided. When this happens to us—as when an attack on philosophy (which picks a REASON editor for illustration) gets out of hand—we try to consider it a passing vice, a necessary fact of being near the firing line. But even there, a specific reply would waste our time and talent on what is essentially trivia. Given the task we have assumed—at least one that I have assumed in my capacity as an editor of REASON—those issues simply cannot be attended to with the care and professionalism that would carry them off well. Frankly I don't know how to play the one-up-manship game, while others do it virtually by second nature!

It also seems to me that the pluralism we have practiced at REASON (within the essential confines of striving to promote political liberty) makes very good sense. It seems to me that we have actually allowed too much politics in our pages, given that our view of the good society would have so little of it! So we are very proud of REASON. Remember, the magazine is called what it aims to promote everywhere. R

Senior editor Tibor Machan teaches philosophy at SUNY-Fredonia. His Viewpoint appears in this column every third month, alternating with those of Alan Reynolds and Edith Efron.

foreign correspondent

[Continued from p. 38.]

and—for example—anybody could be imprisoned without the benefit of a trial, for months.

This is why the antagonistic attitude of the Carter Administration toward Argentina is wrong and, worse, seems grotesque if considered in light of its present love affair with Cuba, the instigator and financer of all marxist terrorist groups in Latin America and newly self-proclaimed strike force in Africa, a la imperialist.

Meanwhile, we are still doing our best, working and trying to make a freer and more democratic Argentina for us and our children. In that task, we could use a little help from our friends, instead of a new kind of big stick. But if necessary, we are ready to make it on our own, against any kind of pressure, of whatever origin. Perhaps, this is why Vietnam was lost and Argentina is being won.

N. G. Molinelli

Form 3526
STATEMENT OF OWNERSHIP, MANAGEMENT AND CIRCULATION
(Required by 39 U.S.C. 3685)

1. Title of publication: Reason. 2. Date of filing: September 22, 1977. 3. Frequency of issue: Monthly. A. No. of issues published annually: 12. B. Annual subscription price: $15.00. 4. Location of known office of publication: 805-A West Figueroa St., Santa Barbara, CA 93101. 5. Location of the headquarters or general business offices of the publishers: same. 6. Names and complete addresses of publisher, editor, and managing editor: Publisher (*Name and Address*): Manuel S. Klausner, Box 40105, Santa Barbara, CA 93103; Editor (*Name and Address*): Robert Poole, Jr., Box 40105, Santa Barbara, CA 93103; Managing Editor (*Name and Address*): Mark Frazier, Box 40105, Santa Barbara, CA 93103. 7. Owner. Name: Reason Enterprises, Robert Poole, Jr., Manuel S. Klausner, Tibor R. Machan. Address for all: Box 40105, Santa Barbara, CA 93103. 8. Known bondholders, mortgagees, and other security holders owning or holding 1 percent or more of total amount of bonds, mortgages or other securities: none. 9. (inapplicable).

10. Extent and Nature of Circulation	Average No. Copies Each Issue During Preceding 12 Months	Actual No. Copies of Single Issue Published Nearest to Filing Date
A. Total No. copies printed (*Net Press Run*)	15,878	18,000
B. Paid circulation		
1. Sales through dealers and carriers, street vendors and counter sales	107	152
2. Mail subscriptions	14,449	16,874
C. Total paid circulation	14,556	17,026
D. Free distribution by mail, carrier or other means samples, complimentary, and other free copies	105	120
E. Total Distribution	14,661	17,146
F. Copies not distributed		
1. Office use, left over, unaccounted, spoiled after printing	1,217	854
2. Returns from news agents	0	0
G. Total	15,878	18,000

11. I certify that the statements made by me above are correct and complete, signature and title of editor, publisher, business manager, or owner: Robert Poole, Jr., Editor. 12. For completion by publishers mailing at the regular rates. In accordance with the provisions of 39 USC 3626, I hereby request permission to mail the publication named in Item 1 at the phased postage rates presently authorized by 39 USC 3626. Signature and title of editor, publisher, business manager, or owner: Robert Poole, Jr. Editor.

Coming Next Month:

REASON begins the new year with a close look at two controversial subjects: the Panama Canal and America's drug laws. Dr. Thomas Szasz provides an incisive analysis of the drug laws—how we got them, why many people want them, and what they really accomplish. Journalist Sheldon Richman illustrates many of Szasz's points with a case history of Nelson Rockefeller's crackdown on drugs in New York State. REASON then assembles several leading libertarian thinkers to look at the Panama Canal question from various angles: historian William Marina, political scientist Don Ernsberger, and economist Hans Sennholz. Also in the January issue: Michael McMenamin explains how Teddy Kennedy ended up urging free-market solutions on a very reluctant airline industry, and David Pietrusza chronicles the sad history of an unsuccessful attempt to discredit the New Deal—the American Liberty League. Plus Alan Reynolds' Viewpoint, Jim Davidson's Experience, a report from New Zealand, and all of REASON's regular columns and features.

classifieds

ANNOUNCEMENTS

SPEND NEW YEARS EVE in Northeast Ohio with Marshall Bruce Evoy as Patrick Henry. Ramada Inn, I-77 State Route 18. $20 includes banquet, party and (on Sunday, January 1st) film festival. 20% discount on orders postmarked before December 1st. Libertarian Party of Ohio, 6509 Marsol Road, #718, Mayfield Heights, OH 44124.

A FREE COUNTY IN CALIFORNIA where Libertarians and limited government advocates will soon have the majority vote for minimum taxes and controls. Send $1.00 for more information to: Libertyville, P.O. Box 4550 Mountain View, CA 94040.

BOOKS

COPIES OF HARD-COVER edition of Hospers' *Libertarianism* still available at half price. Send $5 plus 50¢ postage to: Prof. John Hospers, Philosophy, USC, Los Angeles, CA 90007.

[Continued on next page.]

classifieds

[Continued from preceding page.]

THE MOST CONTROVERSIAL LIBERTARIAN BOOK—EVER. *Defending the Undefendable,* by Walter Block. Decide for yourself! Send $9.95 to Fleet Press, P.O. Box #2RR, BK NY 11235.

UNUSUAL BOOKS. Firearms, improvised weapons, guerrilla warfare, locksmithing, crime, bugging, bureaucracy, survival, moneymaking opportunities, retreating, much more! Finest selection of self-liberation books in the world. Catalog $1.00. Loompanics Unlimited, Box 264, Mason, MI 48854.

THE LARGEST SELECTION OF INTIMIDATING SUBJECTS: human freedom vs. government dictatorships, tax resistance, laissez-faire capitalism plus many more books of an iconoclastic nature. Write for a FREE catalog. Liberty Bookstore, 811 Castro St., Mountain View, CA 94041, 415-965-1776.

THE INCOME TAX IS OBSOLETE. Arlington House hardcover, 298 pp. $4.95. Best critique of our inquisitorial tax system. Order from Liberty Books, Dept. RN, D. Philip & Co., 13006 Philadelphia St., Whittier, CA 90601.

BUSINESS OPPORTUNITIES

SYNTHETIC LUBRICANTS, Best values. 25,000 mile motor oil gear oil, chassis grease, carburetor cleaner, more. Free enterprise dealer opportunities. Anderson Engineering, Epsom, NH 03234.

BUSINESS TRAVEL EXPENSES are tax deductible: US Internal Revenue Code, paragraph 162 TRAVEL ON BUSINESS. Evaluate franchises on new patented communication systems. Write: STUDY TOUR, Box 731, Sedona, AZ 86336.

GENTEEL PROFESSIONALS just make salaries. HUSTLERS can make IMPORTANT money with new, unique, and substantial opportunity. Commissions, overrides, bonuses, annual RENEWALS. No product hassle. If you're a hustler, this can reward you well. Send #10 s.a.s.e. for details. APC/MD1, Box 5356, S. Monica, CA 90405.

FINANCIAL

TAX DEDUCTABLE $10 Investment could earn you lifetime income. No gimmicks, no obligation. Free details. Treasure, Box R17242, San Diego, CA 92117.

FREE BOOKLET FOR INVESTORS describes many unique markets, investment mediums and services available at ABT, the nation's first exchange and marketplace serving average investors at the grassroots. Send today for free copy of "ABT Markets and Investment Mediums." Write: Arthur N. Economou, Pres., The American Board of Trade, Inc., 286 Fifth Ave., Dept. "J," New York City, 10001.

BUY SILVER COINS at face value. Complete details $1.00. Satisfaction guaranteed. Bannon, Dept. R-4, P. O. Box 942, Pittsburgh, PA 15230.

"HOW TO BUILD A COIN PORTFOLIO" $2 postpaid. A monograph on one of the best inflation hedges. Strategy, tactics, caveats—wtih a touch of humor. B. Campbell & Co., Dept. R, Box 560097, Miami, FL 33156.

NEW NORTH AMERICAN GOLD MINES, gold coins, extensive knowledge of South African mines. Professional Brokerage. Berry Huelsman, 503-224-9800, T. E. Slanker Co., 610 S.W. Alder, Portland, OR 97205.

PERSONALS

COMBINE BUSINESS WITH PLEASURE on a "guided tour" of Europe. Investigate franchise on patented new communication systems and deduct all costs from your "adjusted gross income" on your next income tax return. Write: STUDY TRIP, Box 731, Sedona, AZ 86336.

START YOUR OWN tax exempt Universal Life Church. We're 6,000,000 strong and growing. For details send stamped self addressed envelope to: ULC, Dept.-R, P.O. Box 1063, Aptos, CA 95003.

FLATULENT? (Frequently?) Fear not! Read Benjamin Franklin's long-suppressed essay of 1780 on farting. Hilarious! Frameable. $3. "Essay," Box 69A, Carrboro, NC 27510.

MY LIFE IS A SUNRISE. For 24 years this man has watched alone as long moments of anticipation were rewarded with new light breaking through morning clouds. Are you the woman who possesses the clarity, heroism, and serenity to match? Box 3P, REASON.

HELP ME PUBLISH, or find a publisher for, my new book: *Taxes Are Revolting.* Royalty split open to negotiation. Karl Bray, Box 242, Provo, UT 84601.

HANDWRITING IS BRAINWRITING! Increase your strengths; correct your weaknesses. Send sample writing. Careful, expert analysis: $10. HOPE, 909 Pamela, Lawrence, KS 66044.

FOOL YOUR FRIENDS! Chicago postmark on your mail. $1 each, 5 for $2. Terry, 3740 North Lowell, Chicago, IL 60641.

DR. NATHANIEL BRANDEN offers his forty-hour Intensive on SELF-ESTEEM AND THE ART OF BEING in an increasing number of cities throughout North America. For information, contact the Biocentric Institute, 9255 Sunset Blvd., Los Angeles, CA 90069. (213) 274-6361.

PRODUCTS

NEED BUYERS FOR FIND SAND. Have over twenty million tons. For chemical analysis and details: Stephen A. Mateleska, R46 Liberty St., Smithfield, PA 15478.

DEFEAT UNWORTHY POLITICIANS. Excellent method plus useful 1978 vinyl covered pocket planner, (calendar/notebook—value to $4.00). $3.00, Smith, Box 40, REASON.

SIMON SELLS B.S.! (Bumper Stickers). After selling close to 100,000 palm-size pieces of libertarian graffitti in little more than 2 years, Simon Jester is now offering high quality, vinyl bumper stickers (black on red): GOVERNMENT IS *NOT* THE SOLUTION—IT'S THE PROBLEM," "IF THERE'S BEEN NO VICTIM THEN THERE'S BEEN NO CRIME," & "WARNING—I DON'T BRAKE FOR POLITICIANS OR BUREAUCRATS." $1.00 each. More than 3: $.85 each. Free catalog. Simon Jester, P.O.B. 514, Beaverton, OR 97005.

FABULOUS FACETED GEMS for jewelry or investment. Gemcutter to you. Send 25¢ for list to: Walt Taylor, 113 Martin, Indian Harbor Beach, FL 32937.

ELECTRONIC JEWELRY. New, unique gift items. For brochure, send stamped envelope to: Lighting BUG RA, 5640 W. 38th St., No. 11, Indianapolis, IN 46254.

PUBLICATIONS

FORCED INTEGRATION by Theodore Cahn. The ethics of anti-discrimination policy. A critical examination of such concepts as equal rights, equal protection of the laws, and equality of opportunity. $1.25 CM Press, Suite 3308, 350 Fifth Ave., New York, NY 10001.

The **IDEOLOGICAL WARFARE** Letter identifies the philosophical principles of producing a change in the trends of a culture, practical applications: what is done, how, why and by whom. 24 issues $22. Pay to T.E. Caldwell, 405 Del Mar, Corpus Christi, TX 78404. Write for free index and up to date information.

ERGO is a student newsweekly, produced at M.I.T., which comments on current events in a way which emphasizes and promotes the use in human affairs of reason, rational egoism, and a limited government to protect individual rights. We publish a variety of articles covering recent news, campus events, book and record reviews. 1st class subscription: $10.50 a year, 3rd class: $5.50. ERGO, 3 Ames St., Cambridge, MA 02142.

"THE BAHAMAS may present the best compromise for the average American looking for a second country in which to diversify his assets," Bob Kephart, *Inflation Survival Letter,* June 15. An accurate assessment? Keep up to date on the Bahamas with our monthly newsletter. $14 a year, or details, from Bahamas Dateline, Box 3251, Albany, GA 31706.

SERVICES

LOOKING FOR BANKING PRIVACY? We offer current accounts—denominated in dollars or grams of gold—that provide absolute privacy, with cost and facility of use comparable to commercial bank accounts. For information, send two US first-class stamps to: Anthony Hargis & Company, 490 E. Walnut #6, Pasadena, CA 91101.

YOUR CHICAGO ADDRESS. Your mail received, then forwarded anywhere. Send stamp. Confidential Services, 3740 North Lowell, Chicago, IL 60641. (312) 286-2666.

RATES: 25 cents per word, $5.00 minimum. For REASON box number instead of personal address, add 50 cents per insertion. Forwarding postage paid by advertiser. *All orders must be accompanied by payment,* and copy should reach us by the first day of the second month preceding the month of issue (e.g., advertising for the March issue, which is mailed in early February, should reach us by Jan. 1.)

THE CLASSIFIED AD DEADLINE FOR THE FEBRUARY ISSUE IS DECEMBER 1st.

SELF ESTEEM AND THE ART OF BEING™

An Invitation to attend a workshop conducted by Dr. Nathaniel Branden— author of "The Psychology of Self Esteem," "Breaking Free" and "The Disowned Self."

There is no judgment a person can pass more significant than the one he passes on himself, no single factor more responsible for the shape his life takes. For over 20 years the central theme of my work has been the importance of self-esteem and the process of its attainment. Now I invite you to share with me the distillation of that work, in a 40-hour high intensity workshop, whose purpose is to enhance the level of the participant's self-esteem, and to assist the individual to a wider vision of life's possibilities, through a new awareness of his own positive personality potentials. Not a lecture series, nor psychotherapy, the workshop is *a unique learning experience* designed to facilitate self-awareness, self-acceptance, self-responsibility, and self-assertion. I regard this workshop in self-esteem enhancement as the most exciting and valuable program I have ever offered. I hope you will wish to join me.

SELF-ESTEEM AND THE ART OF BEING and a new Intensive, SELF-ESTEEM AND ROMANTIC RELATIONSHIPS, will be held regularly throughout 1978 in Los Angeles, Detroit, Chicago, New York City and San Francisco. For dates, times and further information, please contact:

For Detroit: Lee M. Shulman & Associates
751 Hendrie Boulevard
Royal Oak, Michigan 48067
(313) 541-2660

All Others: The Biocentric Institute
9255 Sunset Boulevard
Los Angeles, California 90069
(213) 274-6361

Self-esteem and the art of being®